CANADA UNION BILL.

MR. GLADSTONE'S SPEECH

IN THE

HOUSE OF COMMONS, FRIDAY, MAY 29, 1840.

Price Threepence.

MR. W. E. GLADSTONE:—Sir,—Concurring as I do in much of what has fallen from my hon. friend the member for Droitwich, in the able speech which he has just delivered, and differing from those gentlemen who have appeared so anxious for a division, in the belief that this most important subject has not yet received so much of the attention of this house as it well deserves, and feeling that the house is indebted to my hon. friend for having endeavoured to secure to it a larger measure of that attention; and yet, on the other hand, not being prepared to concur in my hon. friend's motion, but holding myself bound rather to support the motion proposed by her Majesty's Government, I feel myself called upon to explain the reasons by which I am actuated in following the line which I have thus marked out. Sir, I am free to admit that if we were now considering in private what measure would be most expedient for the settlement of the government of the Canadas, it might be susceptible of doubt whether the union of the two provinces is, in the abstract, the best measure that could be adopted. That is not, however, the state of the question before the house. The question is before us in the shape of a specific proposition for the union of the two provinces; and it comes to us backed by great authority both on this and on the other side of the water. It comes before the house backed from the other side of the water by the concurrence, not only of the Special Council of Lower Canada—a body to which I am inclined to ascribe somewhat more weight than my hon. friend seems disposed to give them—but also of the Legislative Council of Upper Canada, and of the House of Assembly of that province. On the other hand, I have read the address of Sir F. Head to the House of Lords

on this subject; and I agree with my hon. friend in thinking that the zeal, faithfulness, and ability with which that gentleman had administered the government of Upper Canada, under circumstances of great difficulty, do, undoubtedly, entitle his opinions to be heard with respect, and not to be received as they have been by a few individuals in this house—of course I do not allude to the noble lord opposite, or any of his immediate supporters—with indications of contempt. The argument of Sir Francis Head was, that the assent of the inhabitants of Upper Canada had been gained to this measure partly by the inducements which had been held out to them by her Majesty's Government, in the arrangements of this measure, respecting the partition of the representation and public debt, and more particularly by the influence of Poulett Thomson, as Governor-General, over the of the Legislature. I have, for my own part, no Poulett Thomson has exercised that influence, (w: Head was accused, with whatever justice or inju exercised over the elections of 1836,) to gain the inhabitants to this union. I do not see any force charge, as it has been urged against Sir Francis respect to the present case I am bound to say, th the lists of the division in the Legislative Council o upon the question, I do not find that they afford, so ledge enables me to analyze them, any sufficient decision of that body was fairly attributable to Government.

In looking, too, at the votes of the House of As I find that my hon. friend has not been quite accura tion which he has given of them. My hon. frien the Assembly as still dissenting from the union, ex which have been refused by the Government. B contrary, in p. 21 of the Correspondence relating t the provinces, a resolution passed in December, mencing thus—

"Resolved, that the House of Assembly, at its last session, declared, that in their opinion an united legislature for the Canadas, on certain terms, was indispensable.....and that his Excellency the Governor-General has invited the assent of this house to certain specified terms upon which the union may be established."

They then go on in further resolutions to enumerate the terms which at the present time they hold to be indispensable; and my hon. friend will, I think, find that these are the very terms which have now been conceded by her Majesty's Government. With respect to any other propositions, although adhering to them as desirable arrangements, they no longer put them forward as conditions of union. I am, therefore, obliged to arrive at the conclusion, that we must in fairness admit that this measure comes to the House of Commons recommended from the other side of the water by the vote of the Special Council in Lower Canada, and by the sanction and assent of the entire constitutional representation of the people,

namely, of both the Legislative Council and the House of Assembly, in Upper Canada.

On this side of the Atlantic I am also to remember that the proposition for uniting the provinces has been adopted after long consideration, and after a change from their first impressions by the administration responsible for the conduct of affairs. It is, therefore, evident, as I think, that the subject does not appear before us as a *res integra*, and that other considerations besides the abstract merits of union ought to influence our decision.

With respect, however, to those abstract merits, I must say that while I speak upon the whole of this great question with much diffidence and [illegible] sensible of the inadequacy of our means of judgment, and [illegible] I touch the great interests which are every where [illegible] at using to the best of my ability such lights as we [illegible] only do not look upon union as the best measure that [illegible] adopted. I think that we cannot anticipate from [illegible] which we are now providing for the united provinces, [illegible] I might almost even say any period of harmonious [illegible] ork of legislation. Further, sir, I deeply regret to [illegible] strained to ascribe a great portion of the difficulties, [illegible] all the difficulties, which encumbers this part of [illegible] the report of Lord Durham; and I do not here [illegible] indiscriminately of the report of Lord Durham on [illegible] da as a whole, but I speak of it definitively on one [illegible] hich I will briefly mention. I conclude that it is [illegible] that when the united legislature shall have assembled, [illegible] ernment" will be the war-cry in which the French [illegible] Lower Province, and the British Republicans in the [illegible] will naturally and easily unite. That lesson had [illegible] ople of the Canadas by the report of Lord Durham. [illegible] as passed censure very liberally upon the acts of [illegible] rs in the government of Canada. I wish that [illegible] e cause to pass a similar, or a yet severer, censure on the [illegible] ion and on the report of Lord Durham; and I say this tra[illegible] the absence of Lord Durham, because I know that the noble earl is ably represented in this house by the hon. member for Liskeard. Now, what is it that Lord Durham has said on "responsible government?" He has treated it as a claim not even subject to question, as a claim, the equity of which it was impossible to doubt. He has blamed the French representatives of Lower Canada for having directed their attention to objects comparatively unimportant or irrelevant; and has bestowed unqualified praise on the acuteness and on the practical habits of the Liberal party in Upper Canada, because they have always directed their main efforts towards the object of securing what they have termed a responsible government. Hon. members must be aware that it is quite possible for me to quote most largely from Lord Durham's report on this subject. I will not willingly detain them; but on a question so important I must cite enough to make good my position. In page 29 of the report, Lord Durham speaks of two demands: first, of

been adopted. On the other hand, I am bound to say, not only that I believe the Government to be actuated by the sincerest motives in the proposal of an union, but farther, that I certainly do not know any other plan which is not open to great and serious objection. I do not know any other plan which an opposition, for example, would be justified in proposing as a counter project to the project of the Government. So long as there is no plan which we ourselves are ready to recommend, and to advocate either as unimpeachable, or at least as greatly and clearly preferable, to that proposed by her Majesty's Government, it would require in my mind grounds of peculiar force and clearness to justify us in entering on the war of parties upon colonial questions. I for one never will consent to take that course, unless on grounds which I think absolutely imperative. On the only occasion on which such a contest has taken place —I do not mean to allude to the question further than by naming it —it was the Jamaica question—I do not wish at all to argue from the successful issue of the policy which was recommended from this side of the house, but I rely for justification simply upon this, that the case was one in which, whether rightly or wrongly, it was believed by those gentlemen who resisted the proposition of the Government, that constitutional principles absolutely left them no option.

But in all cases which are susceptible of doubt, and in which no such principle appears absolutely to govern the decision, it seems to me most important that to all our colonies, and especially to those of British North America, Parliament should present an united front; and when the difference between abstract plans is not very great, I think large sacrifices of opinion should be made in order to preserve united action. I am, therefore, fully prepared to vote for the project of the noble lord; and though I think that in certain material details it may be found susceptible of improvement in the committee, yet even if it remain unaltered, I cannot say that I think it ought to be rejected by the house.

It appears to me, Sir, upon a general view of this subject, that the problem of regulating the relations between the North American provinces and this country is altogether one of the most difficult and delicate ever submitted to any legislature, because the question which Parliament will have to determine in a thousand various forms, and which will continually recur upon us, is this—in what manner, and for what length of time shall we maintain a connexion between societies which, though they are politically one, yet are not socially one, but of which the original elements differ in many most important particulars?

No one can look at the colonial customs respecting succession of property, at the circumstances which regulate its distribution, at the habits and employments of the colonists, at their feelings with regard to aristocracy, and last, and most of all, no one can consider the principles entertained respecting national religion throughout our North American provinces, and fail to see that there are great original and inherent differences in the elements out of which society

is compounded, which must render exceedingly difficult and delicate the regulation and the maintenance of the union between a country essentially aristocratic (to use a common and intelligible, though not very accurate description) in its feelings and principles, as I believe England to be, and countries, in which some of the elements of society certainly seem to tend towards democracy as their final consummation and development. It seems to me that the maintenance of our connexion with the colonies is to be regarded much rather as a matter of duty than one of advantage. I can understand much better the doctrine that there is a duty incumbent on Great Britain, with respect to the colonies, than the doctrine of those who contend, that upon the mere balance of advantages, or as a case of political necessity, we should maintain the connexion. I do think that as long as we employ the colonies as receptacles for our surplus population, we remain under strict obligation to provide for those who leave our shores, at least, what semblance we can of British institutions, and a home as nearly as may be like that which upon emigrating they have left, and to which they continue so generally to cherish a fond attachment.

Upon this ground I shall always be glad to see Parliament inclined to make large sacrifices for the purpose of preserving the colonies to the empire, as long as the union with the mother country is approved by the wisdom and by the general sentiment of the people of those colonies. But I conceive that nothing could be more ridiculous, nothing could be more mistaken, than to suppose that Great Britain has anything to gain by maintaining that union in opposition to the deliberate and permanent conviction of the people of the colonies themselves. Therefore, I think that it should be a cardinal principle of our policy to regard the union between Great Britain and Canada, and also that with her other American colonies which are socially in similar circumstances, as an union dependent on the free will of both parties. I also think it of great importance that it should go forth to North America, that it should become thoroughly known and understood by the loyal people of those colonies, that we look to them as our fellow-labourers in the work of maintaining the present connexion; that they must not leave Parliament in the position of a mere imperial authority, imposing by force the yoke of British supremacy on a reluctant population, but that they must be active and cordial co-operators, fully comprehending that it is their part to contribute at least as much to the perpetuation of the union as Parliament can do on its part. So long as the colonists testify their earnest desire to continue the connexion in the manner in which that desire was so gloriously evinced by the people of Upper Canada and several other provinces, on the recent painful occasion of the rebellion and invasion, Parliament ought to grudge no efforts and no sacrifices for the purpose of maintaining the present relations; but that is the only and the essential condition on which the interference of Parliament could depend. I think the grand practical difficulty, which it will be the duty of the executive Government to encounter, would be, to discriminate accurately between the real

and permanent convictions of the people, and especially the well-informed part of the people, and those temporary clamours of a few, or those temporary delusions even of the many, of which the history of the colonies unhappily has not been without example: and the recurrence of which was, of course, a danger to be anticipated more or less in every society where there were popular institutions, and particularly when these institutions are founded upon the basis of a very extended franchise. It will also be a great problem of statesmanship, at a future period, when these infant and growing societies shall have attained to such a degree of maturity as to be truly fit for self-government, to fix upon the moment at which the connexion with the parent state may with advantage be severed. But Parliament should make it distinctly known that they will not consent to interpret the clamour of a minority, however active, into the expression of the permanent conviction of the well-affected part of the population, or regard it as entitled to influence our policy: and they ought as explicitly as possible, to tell the loyal and well-affected people that they should be our co-partners in the work of maintaining the union, and that on them we shall have to rely even more than upon ourselves.

I hope, Sir, that I have now sufficiently explained the grounds on which I shall give my vote in favour of the plan brought forward by her Majesty's Government. If there were any other project by which the difficulties that have presented themselves to my mind could be avoided, then it might be a duty to resist the bill; but as there is no such plan, no other course is left to me. I am the more confirmed in the propriety of pursuing such a course when I see that such a person as Chief Justice Robinson, a man of long experience, of resolute character—one to whose name I refer with the greatest respect—one who has no sentiment in favour of the plan of union, but who is very strongly opposed to it, can offer in its stead nothing but a long series of alternatives, out of which he is unable to choose any one as clearly and decisively in his opinion advisable. Combining other testimonies with this, the only result I can obtain is, that the case is one which does not admit of any easy or conclusive solution—that a choice of difficulties is the only prospect open to Parliament. Following a temperate and conciliatory policy, an united action in Parliament, establishing, in these colonies, a liberal system of Government, under which non-interference shall be the rule, and interference the rare exception; we should maintain, at the same time, with a firm and unwavering hand, the supremacy of the British Legislature, and its right to assert that supremacy, as well as to determine the cases in which it should be carried into active exercise; recognizing, moreover, the necessity of having an effectual unity, by means of the executive Government, throughout all portions of the empire, and consequently repudiating and denouncing, as one of the shallowest of all possible delusions, the doctrine that a separately responsible Government, in a colonial dependency, is to be regarded as the appropriate means of perpetuating or of maintaining its connection with the mother country.

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SUBSTANCE OF A SPEECH

ON THE

MOTION OF LORD JOHN RUSSELL

FOR A

COMMITTEE OF THE WHOLE HOUSE, WITH A VIEW TO THE REMOVAL OF THE REMAINING

JEWISH DISABILITIES;

DELIVERED IN THE HOUSE OF COMMONS, ON THURSDAY, DECEMBER 16, 1847.
TOGETHER WITH A PREFACE.

BY

THE RIGHT HON. W. E. GLADSTONE,
M.P. FOR THE UNIVERSITY OF OXFORD.

LONDON:
JOHN MURRAY, ALBEMARLE STREET.

1848.

LONDON:
LL AND SON,
NER STREET.

PREFACE.

THE proposal to open the doors of Parliament t pro-
fessors of the Jewish creed, and to make them le for
political office, is manifestly one of deep religious in. The
University of Oxford, as well as that of Cam has
accordingly given expression to its own feeling the
subject, through a petition to the House of Comm hich
was carried in convocation by a very large maj On
such an occasion, she has an especial title to know what
reasons it was that a person whom she has recently most
highly honoured by choosing him to be one of pre-
sentatives in Parliament, has been constrained to him-
self in opposition to her own formally recorded sent.

The following speech, to which reference would ally
be made for those reasons, took its form mainly the
previous course of the debate; and from this cause, as
from others, particularly the nature of the subject its
nearness to the region of abstract principle, it suppli an
imperfect statement of opinions which I am desirous ice
under the cognizance of members of the Univers ith
more approach to completeness.

The immediate question, contracted as at first sigh ay
appear to be, touches the whole range of topics ed
with national religion, and with the connection betw he
Church and the State. Yet the positive argument th
sides is concise; while almost all detail goes to illu n,
and to the removal of objections. On the one side, i e
presumptive claim of the Jew, bearing civil burdens nt
limitation, to the similarly unrestrained enjoyment il
rights. On the other side, it is mainly the maxim, the

consti of this Christian nation, having now a Christian charaought not by any act of us, its guardians, to be divest it; a maxim which, thus generally expressed, appeals stinct not less than reason for its support.

I at ashamed to confess that, upon a first view of these considerations, the latter is calculated to make the f impression. But it is not the less my duty to avow very different with me has been the result of prolonglection: how I have found both the political claim strened, and likewise the religious objection enfeebled, by eresh and widened examination of the facts bearing upon.

By of example of the first: I assume it to be a capital rulelicy, for the preservation of the mixed government of country, under the conditions of the present time, thatelements out of which our representative system is genl should be mixed; that the sway of numbers should be d by intelligence, virtue, and respect for order; and thahe absence of any test at once direct and secure, we shnake the best of such materials as are at our commaid should be content to adopt property partly as a crit of intelligence in a liberal sense, partly as a guarapr general stability of character and conduct. This redion of property is, I do not say, more effective, but mlpable and methodical, now than it was before the R Act. We had then a chance medley system, which stpon its working capabilities in the gross, and, discardinory altogether, afforded no logical plea, drawn from its practice, to those whom it excluded. We have now a hise, as well as a legal qualification for Parliament, very glly and distinctly, though variously, related to property apasis. But if we take this view of our representative itions, if we feel that they are now dependent less than lfore upon prescription, and more than heretofore upon c appeals to reasoning for their hold on the public that the possessor of property, as such, has now a far ger constitutional argument for admission to the Legislahan he had before the great change of 1832; we canut acknowledge that the claim of the Jew, upon civil ids, whether it be paramount or not, is at least a strong both in point of policy and in point of justice.

it here we may be met by two popular objections. It is that the claim of the Jew should not be placed on the nd of right or justice. First, because justice does not

change, though policy may; and as no one wil
the exclusion of Jews from the Legislature has
them during all the centuries for which they ha
bitants of England, therefore it cannot be unju
condly, because there are no civil rights, excep
law confers. It is thus attempted to place the
the removal of Jewish Disabilities on low gro
it may come into disadvantageous collision with
religion which are urged against it.

Now with regard to the first, however true it
the ultimate principle of social justice, or propor
ing as between man and man, does not alter, yet
from the very terms that its practical applicati
liable to change, because it depends upon relatio
men and classes of men, which relations are sub
stant modification. To take a comprehensive fo
tration: the intellectual relations of sovereign and
very different now from what they were in the time
magne, or of Henry VIII., or even of William II
proportion as the latter has come nearer to the for
become just that prerogative should (whether f
virtually) be narrowed, and popular control ext
confirmed. The doctrine of the original compact
the letter, was doubtless a fiction; but it was a fi
bodying much truth, for it taught that the cla
persons, of whom society is composed, meet upon t
are bound to observe terms one towards another.
less true that those terms alter with the lapse of
with the change of the minds and the conditions
Happy is that nation, of which the social developm
orderly and continuous, that, in the most formal a
ingly new enunciations of civil maxims, it can fou
upon immemorial tradition, can assert itself to have
and not acquired, can maintain its precious propert
past, while it makes improved provision for the fut
can allege that it commonly has occasion to do no m
reduce to more determinate expression what it bef
determinately held. Most eminently has this been t
with the English people; and yet, even with regard t
who can doubt that much has been justly claimed i
which was justly withheld in earlier times? And, if s
that here, as elsewhere, the application of the immutabl
ciples of justice to the shifting relations of society n
determined by successive generations for themselves. a

high and earnest tone of character prevalent among them, rom any or all of these causes in combination, a Christian it pervades and regulates their legislation.

)ur legislature was once Christian in the first of these ses. It is now Christian in the second. If the Jews shall allowed to enter it, it will, I fervently hope and firmly be-e, remain, much as it is now, Christian in the third; and vill, in that sense, be Christian under each of the aspects to ich I have referred; namely, as composed of Christians in immensely preponderating degree; as representing constiencies similarly composed; as being summoned to act in e spirit of a system of Christian laws, and to be the great uncil of a Christian Queen: as being made up of men, nong whom the sense of responsibility and standard of per-onal duty are, on the whole, evidently rising.

I hope my reader will keep in full and clear view, during ie perusal of these remarks, the essential distinctness be-veen the Christianity of Parliament as it is dependent upon a rofession of the name, and as it is dependent upon these ving sources.

Endeavouring to guard against that common form of self-leception in which we dwell upon words without carefully considering how far their relation to ideas is constant, and how far variable, I must confess it appears to me, that the interval between the first and the second of the three states of national or rather legislative Christianity I have described is a wide one; and the interval between the second and the third, a narrow one. I speak now not of sound, but of sense; for, with respect to the former, the case is exactly the reverse. We have made changes, great and substantial in a religious sense, though I do not say greater than the altered and divided state of the community has demanded: we are now called upon to make one in its essence small, but which, it appears to me, is thought great, and not unnaturally, because it parts with a symbol, a figure, and an echo of what is great. The proposition, that all the members of a legislature should be united in the profession of those truths of revelation from God which make up the Christian faith, undoubtedly announces a principle, and, whether at all times applicable or not, a great principle; and defines a broad ground of common action for those whom it includes: but the proposition that, after they have ceased to hold, or to profess to hold, in common the distinctive articles of the Christian creed, they should still plead their uniformity of name in bar of the civil

rights of others, enunciates no principle that has, so far as I am aware, any adequate ground in history, or in philosophy, or in religion, or in practical utility.

But have I truly represented the Christian title of the Legislature as no longer implying an agreement in the articles of the Christian Faith? Or, again—do I imply that the Christianity of the Legislature is valueless and unreal? I shall endeavour to show, first, that I have truly represented the breadth of that transition which we have already made: secondly, that the present Christianity of the Legislature is not valueless and unreal,—that, on the contrary, it should, even though incomplete, be held most precious by every considerate as well as every pious mind: yet, I shall also contend, that with that which is real in the Christianity still professed by the Legislature we are not now about to part; but we are about to part with a title which we should dishonour by employing it for purposes of civil injustice, and which, if we so employ it, may become perilously delusive to ourselves.

It is urged by some persons that, although those who now find access to Parliament are not agreed among themselves in the confession of any body of distinctively Christian truths, yet that what the constitution requires is not the mere Christian name, but "the true faith of a Christian;" and that thus the existing laxity has arisen only through an evasion of the spirit of the law, for which not the law itself, but the individual who has so evaded it, is responsible.

The words appear to have been first employed in the reign of James I. for the purpose of enabling those Roman Catholics, who did not recognise the deposing power of the Pope, to swear allegiance to the crown without renouncing the papal supremacy. And I suppose there can be little doubt that, by "the true faith of a Christian," it was then really intended to designate the doctrine of the creeds, admitted alike by recusants and by members of the Church of England; and that this doctrine was regarded, at least on our side, as the true and essential faith of a Christian, apart from the questions, however important they might be, which were controverted with the Church of Rome. So far, therefore, as the original *animus imponentis* is concerned, I admit the substantive and definite meaning of the words. Persons were long liable to be burned by law, and were burned in fact, for the denial of the divinity of our Lord, after those words had come into use; a conclusive proof that they were not then included in the authorised sense of the declaration.

But, when I survey the course of subsequent legislation, I

cannot deny that the constitution has since conceded to the Unitarian, however slowly and reluctantly, an acknowledged competency for Parliament and office. That the concession was made piecemeal proves it to have been deliberate, and obliges us to reason from it in its full extent accordingly. Let us observe the facts. First, the capital punishment of heresy is abolished. Then an actual toleration is provided for those who subscribe the doctrinal, and only object to the ecclesiastical, articles of the Church. Then acts of indemnity are introduced for all those who had entered Parliament or municipal corporations without submitting to the Sacramental test. Then we see substituted for the subscription to the doctrinal articles, which had ceased to be enforced, a declaration involving simple belief in the Godhead of our Saviour. But this declaration also is allowed to become a dead letter. Next, by the deliberate removal of that test, and the establishment of perfect toleration, the Unitarian is placed, in the eye of the constitution, on a footing of perfect equality with other Dissenters. And finally, by the repeal of the Corporation and Test Acts, he with them obtains as full and unequivocal a right to sit in Parliament as the professors of the national religion, and the declaration "upon the faith of a Christian" is retained in the very law intended for his relief; retained therefore now not as a test to repel him, but (to use the language of Lord J. Russell) as a sanction suitable for him. I therefore, for one, feel myself entirely disabled from contending that the constitution demands of the Unitarian any thing beyond what he can honestly give, when he declares himself a Christian in his own sense. And, if so, I apprehend it is quite impossible to urge that there is any definite body of revealed truth to which the Unitarian*, whose case I take by way of illustration as the extreme one, adheres both in common with us, and also in contradistinction from those who do not bear the Christian name. For it must be observed that the recognition of our Lord as an inspired teacher, and of many of the facts of his history, is not confined to Christians by name, but may be found even among the fiercest enemies of Christendom. It is therefore that name which unites together members of Parliament, as it is now constituted, without any fixed or anthoritative relation to the substance of which it is properly the index.

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* It may be as well to mention that I take the description of the Unitarian creed from Mr. Belsham's Letters to the Bishop of London in 1815.

Nor will it avail to say in reply, there are a few persons in Parliament who do not agree with us in holding by the creed, or the fundamental doctrines of Christianity, but the great mass of its members are agreed in those doctrines; from them our judgment should be formed, and we must overlook the minuter portion of those more widely separated, who are as it were lost in the general composition of the body. For this completely shifts the character of the argument, and makes it depend, not on the nature of the creed, but on the numbers of those who hold it. It is, indeed, altogether an argument in favour of the admission of the Jew, except with those, if such there be, who anticipate their entering Parliament in large numbers.

I shall avoid altogether the painful and invidious questions which arise upon a comparison of any affinities which our religious creed may have with that of the Unitarian and that of the Jew respectively. Because, even if the results of such a comparison could be satisfactorily worked out for the individual mind, they would be wholly unavailable for the decisions of Parliament. The law can only deal with what is tangible. A creed, in its sphere, is tangible: it has an historical as well as a theological form and body. Even a name, in its own distinct sphere, is tangible too; and Parliament may, if it thinks fit, legislate for names. But an analysis of religious doctrines, and a fresh classification of them according to their presumed degrees of importance, will no where afford any breadth of ground sufficient for public law to occupy or to maintain.

I stand then on the proposition that as matter of fact there is no creed, or body of truth, definite and also distinctive, in which the present parliamentary profession of Christianity unites or purports to unite us, and by which it likewise separates us from those whom it excludes.

But, further, I do not conceive that when we thus recognise the slenderness of this bond, we therefore imply that there is no more substantial element in the Christianity of the State than the nominal and exclusive profession of Christian belief. I have already spoken of a Christian character of parliament as referable to the throne, the law, the nation, and as dependent on the personal belief and qualities of its individual members; I may also name the inward sense of obligation under which they take their vows, and the solemn ordinances of Christian worship with which the proceedings of each day are commenced. Over and above all this, though associ

ligious sympathies, even where the great laws of dogmatic and ecclesiastical unity cannot reach. But then I ask those, who apply this consideration to qualify any argument drawn from the present diversities of the composition of Parliament, to bear with those who apply it a little farther: how are they authorised, or why should they desire, after admitting that these genial influences pass in some way beyond the boundaries of the entire and substantive Christian system, to deny that they may likewise pass beyond another barrier—a barrier conventional more than real, useful, therefore, as long as as it is respected, but no longer—a barrier of yesterday, unknown to apostles and martyrs and saints of earlier time, which human prudence set up to meet the purposes of a former generation, and which human prudence may remove now that those purposes can be served by it no longer.

On the other hand, I have not concealed from myself that the removal of Jewish Disabilities is one of a series of measures, all of them tending to bring about a certain incongruity between the personal composition of Parliament, and a particular portion of its functions, especially and mainly those, which are connected with legislation for the Church of England. I find such a tendency in the Acts of Indemnity, in the Act of 1828 which formally admitted Dissenters, in the Act of 1829 which emancipated the Roman Catholics. But neither can I deny that these measures, incongruous if the State had had the Church alone to care for, went not to destroy, but on the contrary to establish congruity between the composition of Parliament and other indispensable duties which it had to perform; namely the duties of general provision for civil and social welfare, upon the principles of a free representative system, and in a community of mixed religious professions. Which one of these conflicting considerations should prevail was, in each case as it arose, a question of degree. The solution of it could not but depend on a multitude of other questions of degree: how far religious divisions had become fixed among us, what was their extent, what the nature and relations of the prevailing creeds, what the general tone of public opinion in regard to any right of political representation, what the disposition and habit of Parliament as to interference in religious concerns, what the relative amount and weight of its duties in this department and in others. Every one of these questions was in a fluent state from generation to generation; it may almost be said from year to year. But the mode and time of the answer in each case has distinctly shown a growing pre-

dominance of civil claims, as such, over considerations drawn from the religious character of the State; and every new concession has of course materially weakened the arguments to be drawn in the next succeeding contest from that religious character. The principle of exclusion from civil office on religious grounds was in its own nature one which depended upon the existence of the very closest relations between the Church and the State, and upon a particular tone of the public mind in regard to them. Entailing such very clear and definite disadvantage on particular classes, it could never be vindicated, after it had once been subjected to serious question, except upon some distinct theory, wrought out with at least a show of consistency into the practice of the State. We have no longer such a theory; and he who plainly announces this, does not alter facts, but merely discloses them. Our religious institutions, thank God! subsist and thrive; and in their venerable age, and amidst their many dangers, are rich with all the vigour and all the promise of early youth: but they subsist as facts, by their own vitality, and by their hold upon the general affection, respect, and confidence, not in obedience to, nor in conformity with, any logically ordered speculation. This affords no reason for wanton change; but it affords a strong reason against applying to the weak, after we have withdrawn them from the strong, principles of policy which never could be respected after they had ceased to be impartial.

The question, therefore, is not merely whether the admission of the Jews to Parliament will place another element, wanting at least in the presumable qualifications for a portion of its duties, by the side of those which are already found there. I must regard the constitutional position of Roman Catholics and Dissenters in the Legislature, not as the chance triumph of a particular party or opinion, but as established, and, if I may so say, normal and organic facts, no longer to be reasoned upon, but to be reasoned from. From these it is that the Jew reasons; and I for one cannot adopt by way of reply that common language, "because we have done wrong once, do not let us commit more wrong:" first, because, upon the principles I have pointed out, it was not wrong at all to make those changes; secondly, because there are many principles which in the loose language of politics may be called wrong, and which nevertheless when they have been partially admitted, it may be just and right to admit impartially; and this, of the removal of Civil Disabilities on religious grounds, may well be regarded, even by

that shadowy signification for the undoubtedly invidious purpose of withholding from men who bear civil burdens the correlative opportunities of access to civil privileges. We shall be told, and told with truth, that there was at least intelligible meaning in our policy, when we conceived of Parliament as the lay organ of the Church, and excluded from it all who did not adhere to that known and legally defined establishment; but that, after we had so generalized our constitutional Christianity as to leave to it absolutely no standard whatever of truths at once common and distinctive, it became absurd, as well as inequitable, to plead this colourless abstraction against a claim of civil right, humbler in its pretensions, limited as to the numbers who put it forward, but yet in its own sphere palpable and solid. Nor shall we be told this alone; for if the resistance is to be made good, it must be by continually enhancing in argument the moment (inasmuch as this will be the turning point) of a naked Christian designation, a course which cannot long be held without virtually narrowing in the public mind and view the radical distinctions which (if we will open our eyes to facts) separate the creeds of some Christian persuasions from one another, and proportionably endangering the verities of the Christian faith. This is not a merely arbitrary supposition. It is sustained by the analogies, if not the parallels, of our recent history. It is a proposition supported, I conceive, by experience, that when public combinations are formed upon negative principles, for purposes of resistance or restriction, the pursuit of those purposes is often found after a time greatly to derange the relative positions of the parties of which the combination is composed, and even to leave them, when the first object has been gained or lost, as the case may be, with contentious questions to settle among themselves, even more full of bitterness, perhaps more vital too, than that which gave rise to their original association against a common foe. And if I am told that there is danger to the Christian tone of the legislature, or of public opinion, from the admission of persons not Christians into Parliament, I must, without at all going the full length of an absolute denial, assert the duty of choosing, among opposite dangers, that which appears to be the least; and must, therefore, be chiefly careful to avoid any policy such as might even indirectly tend towards resolving into more vague and indeterminate forms the well-defined intelligible Christianity of the Church of England, which it is so deeply important, both for the religious and the general interests of the country, to uphold.

In the speech annexed, I have mentioned the practical difficulty which arises, not out of the present measure so much as out of the series to which it belongs, in reference to legislation for the Church, and to the administration of church patronage by the Crown and its Ministers, especially in the highest class; and have pointed out what appears to me by far the simplest and safest remedy, namely, the informal but sincere and steady adoption by politicians, whatever be their party, of a rule, or a habit as it may be called, of regarding the general sense and voice of the Church as entitled to great weight, both in respect to laws affecting her internal concerns and to ecclesiastical appointments. Now that the State has made itself in a certain degree external to the Church and her laws, it is time that we should consent in a certain degree to view the Church as a body external to the State, should think more of emancipating the distribution of offices in the Church from servitude to political party, and should seek to make her living organs, instead of echoing back the voice of any section, religious or political, or the notion of the day, faithful exponents of her own system, defined by her own laws. It seems to me a paradoxical notion, which will not bear scrutiny, that the Church has derived advantage from the relaxations that have taken place in the composition of Parliament, farther than as, by awakening an apprehension of real dangers, they have helped to throw her back on the development of her own energies. Never, perhaps, for generations has she been placed in circumstances so critical, as to the security, in certain respects, of her most vital interests, as during some of the last fifteen or twenty years.

Good sense and moderation, a manful resolution to resist all temptation to tamper and experimentalize upon our religious system, an honest regard to the laws and formularies of the Church, as indicating the spirit in which new laws or new appointments should be made for her, are now more than ever needful, and may yet avert a crisis otherwise too probable. But the admission of Jews to the Legislature is neither the source and spring of the danger, nor would it in my judgment make any sensible addition to the difficulty of taking due precautions to avoid it. Perhaps, on the contrary, by the new light which it throws on the actually subsisting position of the Church, the measure may tend to inspire those dispositions, which, if sincerely and consistently entertained, would afford every reasonable security.

I know not how far what has been said may tend to satisfy

or soothe the religious sentiment which has been aroused in opposition to the Jewish claim. At least I trust there has been nothing, except what is consistent with the most frank acknowledgment on my part of the purity of its origin, and of the real kindliness of temper towards the Jews with which it is so generally associated.

There is a sentiment of another kind, and not without its title to respect, which reasonings can hardly satisfy; that sentiment which abhors the disturbance of what exists, and is vexed at seeing that one change leads onwards to another. The only cure I can suggest for this uneasiness is, more care to distinguish between what is temporary and what is permanent, between secondary obligations which qualify and supersede one another, and essential obligations, which cannot be superseded nor qualified; and, even while reckoning up in its mere quantity what is surrendered, to reckon up also what is retained. It is surely a surprising and a refreshing spectacle that presents itself, when we review the history of this country for the last fifteen years, and consider how the fiery excitement of the period of the Reform Bill has grown cool, the loud demands for organic change have sunk into low whispers; the gift of power then conveyed, amidst the trembling anticipations of many even of those who did not dare to withhold it, has been, beyond all example in history, gracefully and temperately used. Without any attempt to beg particular questions, but as a sedative to general discontent with the amount of change which has been made, it is surely not unreasonable to point to the monarchy, and all its kindred institutions, still overshadowing the land in their chastened and peaceful splendour, and to ask whether this could in the common order of Providence have been so, but for a discriminating prudence in the public mind, which has frankly and ungrudgingly recognized a law of change, applicable to human affairs, as well as and by the side of a law of permanence?

Lastly, though in an argument of this kind I am reluctant to mix personal matter, it may, perhaps, be right that I should state why the reasons which led me to oppose, in 1841, a bill for granting municipal privileges to the Jews, have not guided me to a like decision on an occasion when the greater question of admission to Parliament is agitated. My opinion is now, as I declared it in 1841, that the municipal privilege could not be granted and the Parliamentary privilege withheld. The ground on which, having given to the Jew himself the franchise, and to every class of professing Christians the freest

entrance into Parliament and office, we could refuse to the Jew what yet remained for him to ask, was narrow; and I then thought, as I think now, that it would not bear to be narrowed any more without total surrender. When municipal privileges were granted in 1845, almost without contest, I took no part in the proceedings, mainly because if I had shared in them I must either have affirmed or denied the principle I had before asserted, that they involved the corresponding concession with regard to Parliament, and I thought it better to take time for consideration than to bind my judgment by a premature decision on a question which had not practically arisen.

I had, at an earlier period, striven to persuade myself and others, that the nation had not yet reached the point at which it would become impracticable, and even if practicable unjust, for the State to act upon the rule of exclusive support to the Church, with *simple toleration to other forms of religion*; setting aside particular cases in which our hands might be considered as tied up by the pledges, direct or implied, of those who had preceded us. It may be that I unconsciously strained the facts of the case, as they stood eight or ten years ago, in order to find for myself a warrant to cling to the cherished, and under given conditions legitimate, and even in my view obligatory principle, of unity in national religion; but, if so, it was the less to be denied (and I myself sufficiently perceived so much as this) that any further relaxations of our policy would render it impossible to appeal, with any kind of impartiality or consistency, to any principle of the constitution against the civil and political claims of bodies separated from the national Church. It remained indeed quite practicable to appeal to particular sentiments, vividly impressed upon the popular mind, as against measures like the endowment of Maynooth College, or the removal of Jewish Disabilities; but I never thought that so one-sided an application of a restrictive theory could be either just or endurable.

At that time I was so sanguine as to cherish a belief in the capacity of the reviving energies of the Church to reabsorb with rapidity a great portion of the masses detached from her; she was then gaining alike in extension outwards, and in harmony within. But since that period new features have appeared in the religious movements of the day: a disloyal spirit and a secret preference for an aggressive communion developed themselves, in a mode and with a force new to her experience; and though her inward vitality and consistency has endured and survived the strain, and real life and the capacity for truly great achievements rise higher and higher

within her, yet, as a public institution claiming to be the exclusive handmaid of the State for religious purposes, she has been so far weakened by this in combination with other and political causes, that she has, it may be said, silently surrendered one of her ancient prerogatives, that of being the sole recipient of the bounty, as she is also the sole subject of the control, of the Legislature. I am aware that the principle of indiscriminate endowment, to which in a great degree I conceive that she has given her passive adhesion, is distinct from that of indiscriminate admission to Parliament and office: but they are nearly related one to another; the latter indeed, in my view, is morally and logically rather antecedent than posterior to the former: and it is from the acts which have taken place in both departments, and also from other proceedings in direct connection with the Church, which, in my opinion, have now fixed the policy of the State in such a sense as to make it unfair to plead religious opinion in bar of civil privilege. My own language of late years has therefore been, that as citizens and as members of the Church we should contend manfully for her own principles and constitution, and should ask and press without fear for whatever tends to her own healthy development by her own means and resources, material or moral, but should deal amicably and liberally with questions either solely or mainly affecting the civil rights of other portions of the community. Disclaiming every forced construction of the principle of such conduct, declining to be tied to it as a set theory, far less as a calculating machine, asserting a perfect freedom to judge of its application to each particular case upon its own merits, I think it reasonable in itself, and well adapted to the spirit of our institutions, and to the genius of the people, as well as to the exigencies immediately connected with our divisions in faith and in communion, and to the political temper of the age. This I regard as our appointed function: in this, as I think, the duties of churchman and of patriot are harmonized under the conditions of the time in which we live, and for which we are to consult and to labour.

I have been the rather induced to add these concluding remarks, because although they are more immediately connected with a personal question, yet they also have a relation to some of the most important problems connected with the social organization of man, and to the deep though silent changes which have long been passing upon the public mind in regard to those problems.

W. E. G.

December, 1847.

SPEECH.

Mr. W. E. Gladstone, who rose along with one or two other honourable Members, said,—I regret to stand in the way of any other Gentleman who may be desirous to address the House; but I am quite sure that I shall not appeal in vain to its indulgence, when I refer to the fact, that my honourable Friend and Colleague the Member for the University of Oxford (Sir R. H. Inglis) has to-night presented the petition of that learned body against the projected measure of the noble Lord, and when I state, with deep regret so far as regards my relation to that learned body, that, not without pain indeed, but after full consideration, and with firm conviction, it is my intention, because I feel it to be my duty, to support the measure which we are now assembled to discuss.

I will first ask the permission of the House to say a very few words upon the relation in which I stand to my constituents. I think honourable Members will concur with me, that there is something peculiar in that relation; that in ordinary cases of representation there is a palpable difference between the person who sits here and those who send him here; that he ought to be, and commonly is, their superior in mental cultivation and in opportunities of knowledge, and that it is an easy thing comparatively, under these circumstances, for him to act upon that which is undoubtedly the true principle of representation, namely, to follow the conscientious dictates of his own judgment, whether they happen to coincide in the particular case with the judgment of his constituency or not. But for me, Sir, the circumstances are very different.

I have received the honour of being chosen to represent in this House a body, of which I gladly acknowledge that I must look upon the members of whom it is composed as being in ability, in knowledge, in all means of judgment which depend upon individual character, either superior, or, on the least favourable showing, equal to myself. But I am sure I shall be borne out by the concurrence of all who hear me, when I say, that fact will not absolve me in stifling the dictates of my own judgment and conscience, feeble as the first may be, with regard to what the principles of the constitution and the interests of the country may require. It greatly increases the responsibility attaching to error; but it does not in the slightest degree allow me to shift that responsibility by saying "it was your act, I did as you bid me." It leaves me bound, just as if occupying any other seat I should be bound, to take advantage of the position in which we are placed as Members of Parliament. I feel that here we have opportunities of judgment and of information in our own profession—for it may with some truth be called a profession—which others cannot have; and that I should be betraying my own plain duty to my constituents, if I were to succumb to their judgments in a case where I was conscientiously convinced that there was a better course to pursue.

With regard to the positive arguments for the admission of Jews to Parliament, I shall be brief. The noble Lord has stated, and in terms satisfactory to me, nearly all that I think requires to be stated on this head. His doctrine with regard to the general fitness of the Jew for representation, and the hardship of refusing to qualified persons the right to sit in Parliament, has indeed been contested by the assertion that to withhold political privilege does not constitute a grievance. That is a proposition which I apprehend can neither be affirmed nor denied in universal terms; it must be judged by the circumstances of the case. We are bound to inquire whether there are substantial causes of disqualification, which oblige us to draw a distinction between one class of citizens and another class *primâ facie* entitled to occupy the same

position. If there are strong and adequate causes incapacitating parties for the performance of certain duties, then to withhold from them political privileges does not constitute a grievance; but, if the opponent can show no such powerful and substantive reasons—if it is admitted that the parties are competent for the duties which it is proposed that they should discharge—then, I say, in that case, it is true, and it must be affirmed, and must be reiterated in the face of any abstract doctrine to the contrary, that to withhold political privilege does constitute a grievance. And further, after a presumptive case of general competency is shown, the burden of proof must lie entirely with those who seek to defeat the claim.

Now, how stands the case of the Jew? How stands his case now, with regard to those points which tell in his favour? My noble Friend (Lord Ashley) has just delivered a speech, like all speeches which he delivers here, in which weight of character and weight of talent were remarkably combined (hear, hear); but when I listened to a part of that speech, in which, towards the close of it, he exposed the misapprehension that prevails with reference to the character of the Jews as a people, and described their remarkable qualities and their great capacities, I will not say that I asked myself whether my noble Friend was not involving himself in an inconsistency, but I could not fail to see—and he, I am sure, could not fail to see—that he was, at the least, greatly and powerfully adding to the force of the arguments, drawn from the considerations of civil right and of social justice, by which the admission of Jews to Parliament is recommended. He told us of their powerful intellects, of their cultivated minds, of their ancient and continuous literature, in every department, embracing every subject; he spoke of their indefatigable diligence, which outstrips even German assiduity; he said they had among them a greater proportion of men of genius than any other race; he stated that they had discarded many of their extravagant and anti-social doctrines, and had become much more fit to be incorporated in the framework of general

society. He did not allude to another point, but it is one with which we are all familiar, namely, their intelligence, and activity, and success in many of the pursuits of commerce and of industry. Thus much then I say—that at least the civil and political argument in favour of the admission of the Jew, though I will not yet assume that it is to override every other consideration, is as strong as the civil and political argument can be; and if you are obliged to withhold from him, on account of principles peculiar to you, those privileges to which he thinks that he has a claim, the grievance in his case will mount as high, according to the general principles applicable to such a subject, as it can mount in any case of a class excluded from general duties on partial grounds.

Now, Sir, I must confess, that, when I consider my own position, as having the honour of representing the University of Oxford, with respect to this question as a question of giving or withholding certain civil privileges, I feel not a greater reluctance to give because I have that honour, but a greater reluctance to withhold. I feel a very great reluctance to be the instrument, even in my own small measure, of placing the University in conflict with the civil privileges and civil rights, if such they be, of any portion of my fellow-subjects. I do not scruple to confess a feeling which I deeply entertain; I think that we have too indiscriminately and too long pursued that policy, and further, when I review the position in which we stand at the present moment, I, for one, am not satisfied with the practical results which it has produced.

But I pass on to what I grant must be the cardinal and the overruling considerations in this case; I mean the considerations connected with religion. My noble Friend (Lord Ashley) has discarded—and justly too, as I think—the argument drawn from the supposition that the Jews are a separate nation in such a sense as to be disqualified from the performance of civil duties; he says—and he says justly—that he stands upon a conscientious adherence to principle, and that the principle of religion. And now let me consider the way in which my noble Friend has associated that adherence to

principle with the vote which he proposes to give. He said that he was about to contend for the maintenance of a long established and an ancient system; but shortly after he had told us that the system for which he was about to contend was a long established and an ancient one, he likewise told us—and told us, I think, with truth—that we have been for many generations in a state of perpetual conflict and of constant change, of progressive movement, all in one and the same direction. He told us that we had to contend, first for a Protestant Parliament, and now for a Christian Parliament. But I submit to him, that he ought to have begun earlier than that, because the first contest of all was a contest for a Church Parliament; and the battle for a Church Parliament, fought between the period of the Restoration, when in point of fact formal dissent began, and the period of the Hanoverian succession, or perhaps I should say of the Occasional Conformity Act, was as fierce a conflict as any of the others. Even after Nonconformity had received the sanction of the law by the Toleration Act, it was still attempted to dislodge or to exclude the Nonconformist from the possession of political power. It appears, then, that you first contended for a Church Parliament—you then contended for a Protestant Parliament; in both cases you were defeated. You were not defeated unawares; you were not defeated owing to accident. You were defeated owing to profound and powerful and uniform tendencies, associated with the movement of the human mind—with the general course of events, perhaps I ought to say with the providential government of the world. And when we plead and argue upon the British laws and the British constitution, I really must ask with the honourable Member for Oldham (Mr. W. J. Fox) what right have we to fix upon some one particular period, be it fifty or one hundred or two hundred years ago, and to say, "I will take the basis of that particular period, and I will say there begins, and there ends, the British constitution?" On the contrary, I say that the very same principle which makes me regard Magna Charta as a part of the British constitution, the same principle which makes me re-

gard the Bill of Rights as a part of the British constitution, and the Act of Uniformity, and other Acts—I do not mean to say as all equally important in all their provisions, but all forming material parts of our constitutional system—by the same principle, I think, in general justice, whether I like them or not, independently in a degree of personal opinion, we who meet here in 1847 are bound to recognise to a great extent as facts those laws which have fully and deeply entered into the political system of the country, which hardly any one desires to change, which no one attempts to supersede, which we all on coming here profess to accept, and which I think we are bound to assume as *data*, as fixed points, in our discussions, and therefore to apply and develope in the spirit of fairness and justice.

It appears, then, we have now arrived at a stage in which, after two or three generations had contended for a Church Parliament, and two or three generations more contended for a Protestant Parliament, each being in succession beaten, we are called upon to decide the question whether we shall contend for a Christian Parliament. And here I must say that my noble Friend (Lord Ashley) has made assumptions, which, if he could establish, I for one should not be found voting against him; and, I may say, not I alone; since certainly, so far as I understood the noble Lord who opened this debate in an impressive address, the same may be said of him. I thought the assumptions of my noble Friend with regard to the views of the promoters of this measure entirely inconsistent with the statement of the noble Lord—I mean as they respect the relation between religion and politics. My noble Friend says, that we are asked to make a public declaration that for all purposes of government and the making of laws Christianity is needless. Certainly such was not the doctrine of the noble Lord (Lord J. Russell); and I must say, without, of course, impeaching the candour of my noble Friend, that I think he has put an extreme and a strained construction on the sense and spirit of the measure itself. I do not think it amounts to what my noble Friend has said of it; I do not think

it does establish a severance between politics and religion. I think it amounts to this—it amounts to a declaration on our part (if it shall pass), founded on the whole circumstances of the case, upon our view of the actual state of our laws and of the society in which we live, its composition, and its temper, that there is no necessity for our absolutely excluding the Jew, as such, from an assembly, with regard to which assembly every one of us in his own conscience feels perfectly sure—as sure as man may venture, without presumption, to feel upon what is future—that the vast and overwhelming majority will long, will, as we trust and pray, always, continue to be Christians. The discussion, therefore, in which we are engaged does not turn upon the question whether the Christian religion is needless for the work of government and of legislation. It must first of all be shown that the admission of an extremely small fraction of Jews into Parliament would paralyze and nullify the Christianity of all those who sit there. We may consistently affirm that Christianity is in the highest degree needful for our legislation, and yet decline to follow out that proposition to a conclusion so rigid as this, that every individual who is not a Christian should be excluded from the possibility of becoming a legislator. I think my noble Friend had a latent consciousness that these two ideas were entirely distinct, for he evidently conceived it to be necessary for the support of his argument that he should assume the case of a very large number of Jews in Parliament. How, he asked—for I took particular notice of his words—how can the principles of Christianity govern the Legislature if a large portion of it should be composed of Jews; and in another place he assumed the case of a Hebrew majority. But I say that practically it is not the question what would follow from having either a Hebrew majority or a large number of Jews in Parliament; because none of us believes that, within any fairly calculable results of this measure, there will or can come any thing more than the admission of a few solitary Jews to Parliament, leaving the rest of that body exactly as it stands at present in respect to its religious pro-

fession. I believe, then, I may say that the connection between religion and politics is not only not denied by the noble lord, but that he emphatically asserted it ["Hear, hear!" from Lord J. Russell]; that he asserted that there was no department of duty in which the motives of the fear and love of God ought not to govern, and that you could draw no distinction in that respect between domestic or private duties and civil or political or public duties. But my noble Friend appeared to me, I confess, (though I am very anxious, like him, to avoid introducing into this discussion topics of a theological character,) to attribute too much of substance, and of efficacy, I must say, to the bond which is constituted by a profession of the Christian name, defined by the individual to himself alone, not embodied in laws or in institutions, or in religious communion of any kind involving necessarily the avowal of any body of fixed truths—he appeared to attribute too much to a bond of that sort when he said, "I will take that nominal profession as my criterion and my standard, and I will affirm that all who profess that name are fit for the exercise of civil duties, and that every man who does not consent to bear it is unfit to be admitted into Parliament." I think that he laid greater stress upon such a test than it will bear, though I certainly would not undervalue it, or any thing which tends in any manner to connect us with the profession of Christianity: still, I think that on religious grounds it would be very difficult for him to prove the unfitness of a Jew for the duties which it is proposed that he shall discharge here, without also proving, by pretty sure implication, that many of those who sit here already, not as individuals but as classes, are therefore unfit for those duties. If, therefore, I admit that we are called upon to give up the exclusively Christian character of the composition of Parliament, yet, in saying that, I perhaps make a larger concession to the opponents of the measure than should in strictness be made, because the only kind of Christian character which this measure requires us to surrender, is one depending on a title not defined except by the feelings of each individual

for and to himself; it is one which implies little more than the most vague, and naked, and generalized acknowledgment. I am quite aware, indeed, that the question as I have now described it, the question whether we shall, under the circumstances of the present time, open the doors of Parliament to Jews, whom we expect to enter them not in mass but only by units; whether we shall dispense in their case with that reference to a Christian profession which, as we now have it, has no relation to any defined standard external to the individual mind; that even this is still a very important question, though it is different from that which we should have to decide if we could rationally anticipate as possible any large number of Jews in Parliament, and still more, from what it would be if the title with which in one sense we are now to part were a title indicating concurrence in a fixed body of revealed truths.

Now I can well believe that to many, and I freely allow that to myself, it is painful thus to part with even the title of an exclusive Christianity, inscribed upon the portals of the constitution. Yet to qualify this title as we are now asked to qualify it, to surrender it as an universal and exclusive title, is not to deprive ourselves of such substantial Christianity as we may really now possess. Advantage is not unfairly taken in debate of a word: but when it is said that we unchristianize the Parliament, while it may be true in name—and I would not deny it—I must ask, is it true in substance? I could not help being struck, and I confess I could not altogether repress a smile, when, with indignation evidently the most unaffected, in an earlier part of this evening, my honourable Friend and Colleague (Sir R. Inglis) rebuked Dr. Van Oven for denying in the pamphlet which he has just published on this question that we were a Christian nation. Dr. Van Oven denies that we are a Christian nation because there are a few Jews in the nation, and my honourable colleague is very angry with him for denying it; and yet what is now proposed is to admit a few Jews into Parliament, all the rest of the body of Parliament remaining Christian; and I am afraid my honourable Colleague would be as much displeased with any one for

asserting the Christianity of Parliament as he was with Dr. Van Oven for denying the Christianity of the nation. Yet the circumstances are exactly parallel. If we are now a Christian nation, we shall even after removing the Disabilities of the Jews be a Christian Parliament: if it be true that we must then cease to be a Christian Parliament, it is also true that we are not now a Christian nation. Sir, I think that Parliament will continue to derive its character mainly from the personal character of those who elect and of those who compose it. And I must say, with regard to the speech of the noble Lord (Lord J. Russell), that when he spoke of oaths and declarations as affording insufficient securities, I certainly did not understand him to signify—and I trust he did not intend—that they were to be looked upon as altogether worthless, and to be discarded from our use, but that we were not to place upon them an exclusive reliance, and that we were to depend more, after all, upon the qualities of men than upon the letter of any regulations we could establish. ["Hear, hear!" from Lord J. Russell.] But I confess I should perceive in this motion a liability to very great and grave objections—indeed, it would even assume in my eyes the character of a practical grievance to us—if I thought that it was the intention of the noble Lord to propose that our position, the position of us who are now exclusively entitled to sit here, should be in any particular altered by the measure which he proposes to introduce. I hope his purpose is, that we shall continue to discharge the very solemn duties committed to our care under the sanction of the very same oaths and declarations which we now take; that we who are Christians shall continue to give the greatest degree of solemnity that is possible to our entrance upon our public functions, by continuing to contract our obligations as now "upon the true faith of a Christian." I trust that nothing can be more idle than the anticipations of those—I have not heard them mentioned in this debate, but they are current out of doors—the anticipations of those who apprehend that, in consequence of the admission of some two, or three, or four, or six Jews into Parliament, that devout and seemly custom, whereby you, Sir, as our

head and formally appointed representative, and all of our number who are present with you, at the moment when you first enter this House offer up your daily supplications to Almighty God for light and for guidance in our deliberations, is either to be abandoned or its continuance in the slightest degree endangered. I must confess I feel, for one, that if it were so, then this would become a question, not between considerations rather of an abstract character on the one hand, and practical grievance affecting the Jews on the other, but of practical grievance affecting a very small number of Jews on the one hand, and of practical grievance affecting a very large number of Christians—I mean all those who now sit here—on the other.

I have, therefore, endeavoured to show, that the assumptions with regard to the real and constitutional meaning of the law which it is proposed that we should pass, are assumptions not duly founded in the true nature and character of the measure. But there are others who make objections to this measure in language much stronger than my noble Friend. If we have not yet been told, we must prepare to be told out of doors, and probably in this House, that this is an anti-Christian measure, and one which will draw down upon us the judgment of the Almighty. Now, with regard to such arguments, I admit the extreme difficulty of touching them at all, because one cannot deal with them with the reverence which is due to the awful name they seem to invoke against us, and at the same time with the freedom which belongs essentially to our common discussions. But this I do say, that if it be true that civil justice requires the admission of the Jew into Parliament, and if it be untrue that you can show any insuperable difficulty of a practical nature in the work of legislation, or any grievance to any other class of the community, as the consequence of his admission, then this question, so far from being as I think that my honourable Colleague seemed to call it, a question of expediency, is, in the highest sense applicable to a political question, a question of principle as contradistinguished from one of mere expediency; and that in proceeding to render

no more and no less than justice to any class of our fellow-subjects, be they called by what name they may, I can have no fear of drawing down upon our heads the vengeance of the Almighty; nay, on the contrary, I must entertain a very much more serious fear in that respect, if, because of the influence of prejudice on our own minds, or from the apprehension of clamour and the displeasure of others, to which my honourable Friend so emphatically referred, we refrain from doing that which we believe to be right.

But again, Sir, I must proceed to observe, that even if we allow that under certain other circumstances, such an argument could properly find place in the discussion, it is now too late for us to have recourse to it. If the concession of power to the Jews be, which I do not admit, an act involving us in such heavy guilt, we cannot be content with simply alleging this as a plea against the present measure; we must look back upon all which we have already done, and which, it may likewise be observed, no one proposes to undo. Perhaps it is more fit for me than for any other person to invite the House to this retrospect, because I have before urged upon its attention the close and indissoluble connection between the measures which you have already passed for the advantage of the Jew, and the measure which you are now invited to adopt in his favour. In the year 1841, opposing the bill then introduced by the noble Lord (J. Russell) for the admission of Jews to municipal offices, I argued, and I founded my opposition upon the principle, that no broad or clear line could be drawn between their eligibility for what was then in question, and their eligibility for Parliament. And now let us consider how far we are bound by the equitable consequences of what we have already done, or how far it leaves us free to employ the religious argument against the present measure.

My noble Friend draws a distinction between Executive and Legislative functions, and I grant, in certain respects, a just distinction; but at the same time, although in this place we may commonly look upon the name of municipal office without any very lively sentiment of veneration, yet what does it

involve? It involves the magistracy; it involves the performance of judicial duties; it involves the administration of laws which are Christian laws, founded upon and made conformable to the principles of Christianity; and I cannot find a breadth of standing ground for my foot which will enable me on the one hand to say that the Jew is fit for the solemn administration of those laws, and for the administration of Christian oaths to Christian men, and yet upon religious grounds is absolutely unfitted to enter this assembly. But further, the distinction of my noble Friend, though it was drawn with great force and ingenuity, I am of opinion will not sufficiently avail him, even if it be admitted without any restraint. Executive offices, he observes, and even judicial offices, are discharged under the strict observance of the public eye, and any abuse would be corrected by the operation of the power of public opinion; but I must call upon the House to remember that they are not executive offices only to which we have admitted the Jew. What have you to say with regard to the franchise? You refuse to admit the Jew to this House, because they who sit here are the makers of laws; but I ask who are they that make the makers of laws? It is from a periodical return to its mother earth, that this House derives its life and vigour. From thence are drawn the new materials that are to qualify or to replace the old. This House may be the chief organ of power, but is undoubtedly not its fountain; it advises the Crown, it represents the people, and in the constituency must be sought the source of so much of the authority of the State as we possess. But to that constituency, to that primary function of electing, a function not executive, a function the least of all subject to responsibility in the sense of my noble Friend, Jews have already been admitted.

And yet if we are asked whether the constituency of this country be a Christian constituency, I for one am ready to answer yes. It is composed generally of Christians; and no man, as a voter, is in any degree precluded from recognising the command of his Christian principles over him in the de-

termination of his vote, because the Jew stands by his side. If his Christianity be worth any thing at all, he must carry it with him to the hustings; in discharging his duty there, he must first have asked himself what his obligations to his God and Saviour require of him. I am certain my noble Friend will not argue that the constituency has ceased to be a Christian constituency, because there are here and there a few Jews interspersed through it; and unless he is prepared to argue thus, I trust that he will share in my consolatory belief that Parliament will not have ceased to be a Christian Parliament, because some few Jews may have been admitted into it. I certainly, after all that we have done for Jews outside the doors of Parliament, and for others within them, am content on the ground of policy, content on the ground of justice, to admit them, and for the future, to trust the Christianity of the Legislature, under God, to the Christianity of the nation.

Again, Sir, my noble Friend proceeded to quote the authority of Dr. Arnold, who entertained a strong opinion against the admission of Jews to Parliament. I cannot wonder that the opponents of the measure should seek support from such a quarter. There were few men who would address their minds to the consideration of any subject with greater energy than Dr. Arnold, or with greater or even equal sincerity of purpose. But I apprehend that his view of this particular question stood related not to the strength of his mind, but to its weakness. Most excellent and most able as he was, yet, like many other men of remarkable and rare ingenuity and of true enthusiasm, he had his own theory which he idolised, which it was the dream of his life to rear into actual existence, and with respect to which no experience could avail to undeceive him. He considered that in a Christian country the State and the Church ought to be regarded as one; the State belonging wholly to the Church, and the Church belonging wholly to the State. He viewed ministers of religion as officers of State, and officers of State as ministers of religion: and he held that there was no distinction between them, except the incidental one of the subject-matter upon which they were respectively

employed. But with this strict idea of the State as Christian, he combined an idea of Christianity relaxed in such a manner that, according to him, certain general truths assumed to be common, and capable of separation from what is peculiar to different Christian persuasions, ought to be embodied in a living and working system. He was indeed perplexed, even in speculation, with certain exceptions which met him at the outset, such as the case of Unitarians on the one side, and of Roman Catholics on the other. Notwithstanding, however, flaws and discouragements such as these, he laboured, as Mr. Stanley has explained to us in that most interesting work, his *Life of Dr. Arnold*, to reduce to form the idea which he had conceived in his mind of a Christianity which should comprehend in one many of the now separated persuasions, and which should then be embodied as a principle, and as a test, in the constitution of the London University. He laboured, as may be easily believed, without success; but likewise, if I remember right, without despair, at least without the abandonment of his views: and his opinion, that the Jews should be excluded from Parliament, was an opinion entertained by him, not with regard to their separate case upon its own merits, but rather, I think, as necessary to the integrity of this favourite, but very peculiar and arbitrary theory. I, therefore, must be allowed to urge, that the weight of Dr. Arnold's opinion in this case must be measured by the practicability of this particular idea, and not by the authority generally belonging to his judgment, that is to say, upon questions where he had no special bias or notion to mislead him.

There is, however, another point in the argument to which I must return, as I have only noticed it hitherto in general terms: whereas its bearing upon the present question is, in my view, of the very highest importance.

It is alleged that we are now going to make a change in the constitution which involves the essence of Christianity: that what the constitution hitherto has required of us is not merely that we should denominate ourselves Christians, but should make our solemn declaration "upon the true faith of

a Christian;" thus implying that each of those who so declare really embraces that faith, and that, therefore, according to the view of the constitution, all members of Parliament are agreed in the recognition of a fixed body of revealed doctrine, distinctly indicated by those words. From the mere words as they stand, I at once admit, it is by no means evident that they were intended to include all persons that could simply call themselves Christians; nay, that they were not so intended, and did not include all such persons. But we must read the sense which the declaration now bears, in the light of subsequent history; we must observe what successive Parliaments have done, in order to adapt the law to the altering circumstances of successive periods, and must give to their measures their full breadth of meaning. After Nonconformity had taken a definite shape in this country, it obtained a legal toleration; Nonconformists entered into Parliament, by a sufferance which gradually came to be all but a right, and which received full constitutional sanction as a right in the year 1828. Among those Nonconformists, almost from the first, there were Unitarians. True they had their whole civil existence for a long time by sufferance; only by slow degrees they too obtained a recognition; and I apprehend that from the year 1813 the law ceased, as practice had long before ceased, to draw any distinction between them personally and other Dissenters. I say personally, not entering into the inquiry what view the law may even now be thought to take of their creed, as distinct from the persons professing it. Now, Sir, as these concessions were not extorted by fraud, or surprise, or force, but were granted one after another by Parliament, with its eyes open to their significancy and their consequences, I cannot lay it as a charge against the conscience of the Unitarian, that he uses, in reference to his belief, the words which we too use at that table with regard to ours. Whatever may have been their original view and meaning, I think myself bound most unreservedly to admit, that Unitarians act according to the spirit and the intention of our laws, when they adopt those

expressions for themselves, as applicable in their mouths to their own religious system. But if, as I think, the constitution, so to speak, is satisfied with the sense in which they are thus employed, then I conceive we cannot dispute that it has altogether ceased to require of us the recognition of any fixed standard or body of Christian truths as an indispensable element of fitness for legislative duties; that we are not now tied by it to hold any thing which can in serious reflection be called by us unitedly "the true faith of a Christian;" and that therefore the measure of the noble Lord at the head of the Government is not open to the objection which would lie against it, if it could really be shown, that, in order to meet a case of limited extent, we were about to make a great substantial change in the religious character of the constitution, and in the capacity of the great mass of those who act under it.

Passing on, Sir, from the objections which I think either unreal or at best inapplicable, I now come to one of which I admit the reality and the relevancy, though I do not admit its sufficiency to warrant the rejection of this proposal. I hope the House will bear with me while I touch for a short time upon a topic, in my view of very great importance, of which no notice has as yet been taken in this debate. I am most reluctant to introduce into it any element that can even appear to be foreign to its scope, or not remotely connected with it; but I am certain of the general assent of those who hear me when I say that, as being sent here jointly with my honourable Friend and colleague (Sir R. H. Inglis) to represent an University, to represent a constituency so much connected with the national Church and comprising so large a number of its ministers, I should betray my most especial and solemn duty, were I to give my assent to this measure without having endeavoured to consider very maturely its whole bearings upon the interests of that Church; I will add, without having satisfied my mind that its adoption ought not to work them injury.

I say then, Sir, that there is at least one real difficulty attending the admission of the Jews into Parliament; that

which arises from the mixed nature of the functions we are brought here to discharge. So long as many matters relating to the Church, and some also relating to the Christian religion in a more general sense, are liable to be discussed and decided here,—so long as we continue to bear the character of political guardians of the Church,—there is, as far as these facts extend, a real and practical difficulty attending the admission of Jews to Parliament. This being granted, I must ask myself what is the amount of that difficulty, and are there any means by which it can be obviated, short of that extreme resort, the rejection of this measure?

And first, as to the amount of the difficulty, I confess that I have not any great apprehension of practical evils to arise from the actual interference of professors of the Jewish religion in such legislation as may directly or indirectly have to do with ours. Because I know that, in the first place, the good feeling of each individual as a judge of what is becoming or otherwise, for himself; and, in the next place, the influence of public opinion operating both within and without these walls, will do much to restrain any interposition in matters relating to the Church on the part of those who, on account of religious differences, can have no natural and sufficient interest in them. We have seen that feeling operate not unfrequently in this House since the Acts of 1828 and 1829. When a question of the internal affairs of the Church is under consideration here, it is not an uncommon thing to hear Gentlemen, who do not belong to her communion, say, that they do not look upon it as a matter for them to be concerned in, and that they think it more becoming to leave the discussion to those who may be supposed to feel a religious and an appropriate interest in it as members of the Church. And many act upon a rule of this kind without the formal expression of it. If this has been the case heretofore among us, constituted as we now are, it is reasonable to expect that it will be still more the practice if Jews should come to sit among us. While, therefore, I do not deny that a practical anomaly or difficulty presents itself, I also think that considerations of

a great and increasing interest, a deep and just anxiety, among the clergy and the members of the Church of England.

In illustration of what I have said, I may refer to a published letter which I have recently seen, addressed to the noble Lord, by the Rev. Mr. Trevor, a clergyman, I believe, of known abilities, and of no less indisputable moderation, who nevertheless it is evident feels keenly, as he also writes warmly, upon the difficulties in which the Church, and the clergy in particular, are placed under a course of legislation which successively infuses into the composition of Parliament new elements, having no sympathy with that body, and in no relations towards them, such as those which are created by identity of religious communion. I have a more recent result and token of this sentiment among the clergy, in my hand, in the shape of a petition*, which has been forwarded to me for presentation to this House by a dignitary of the Church, a person of high character, and of distinguished talents—I mean Archdeacon Wilberforce, whose brother occupies a yet higher station as Bishop of Oxford. In this petition, Archdeacon Wilberforce takes a summary view of the altered position of the Church in regard to the Legislature and to the expectations she may naturally entertain from it; and then he comes to the further alteration, which, as he had understood, the noble Lord opposite was to propose. He says that in the present state of public opinion, and having regard to all that has already been done, he is not prepared, whatever his own sentiments or predilections as an individual might be, to offer objection to the removal of the Jewish Disabilities: but then he prays that before we take this new step onwards in the career which we have now for a long time been pursuing, we will pass a Bill for the repeal of the Statute of the 28th year of Henry VIII. chap. 17, relating to the election of bishops, inasmuch as he conceives that Parliament will, in consequence of

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* I might also have referred to a recent pamphlet, very worthy of notice, entitled "A Clergyman's Apology for Favouring the Removal of the Jewish Disabilities."

such a measure as that now before us, cease to be a Christian Legislature. Now, Sir, it will have appeared from all that I have said, that I do not take the same view of the character and effects of this particular measure as Archdeacon Wilberforce: neither do I think that the anomaly which he points out, is one that we ought now to proceed to remove by the repeal of that statute of Henry VIII. But I perceive the difficulty: and although I am reluctant to entertain the idea of meeting it in such a mode as the particular mode which he suggests, yet I refer to his petition as illustrating a sentiment which is widely spread, and which may spread yet more widely.

Indeed, for myself, I cannot hesitate to say, that from the general course of events, and in particular from the changes which have been introduced, and which are now proposed in the constitution of the Legislature, a very great degree, an increased degree of delicacy and caution has become necessary in the management of its relations with the Church, and that the want of that delicacy and caution, and of kindly and considerate feeling, would in all probability lead to very serious ulterior consequences; I mean that it would have the effect of producing throughout the country, among the clergy, and among all the more seriously attached members of the Church, a desire for what is termed organic change in the connection between the Church and the State. I use the phrase organic change to distinguish what I now have in view, from changes not cutting so deep, from practical and administrative improvements. Now I do not know whether there are any persons in this House—if so, they must be few and probably of extreme opinions—who contemplate and desire such organic change in the connection between Church and State. If there be such, I am not one of them: I am deeply anxious to obviate any demand for changes of that nature. Yet I feel that there is a great difficulty, pressing seriously upon the consciences both of lay members of the Church and of clergy, from their becoming more and more alive to a want of active sympathy between the Parliament and the Church, and to the slow and unsatisfactory mode in

which the internal affairs of the Church are apt to be despatched amidst the pressure of our other engagements. The solution of this difficulty, which I should greatly prefer, is as follows: and in what I am about to say, I beg most frankly to assure the noble Lord opposite, that I desire to convey no allusion to current events, for if I thought it right to introduce on this occasion any reference to them, I should not merely insinuate an opinion, but should state directly and broadly whatever I might have to urge: this, then, is what I desire, in the interest of my constituents, and in the interest of the Church, that as you continue from time to time to admit among you those who cannot justly be expected to have sympathy with the laws and the spiritual purposes of the Church, you should likewise recognise and act upon the principle, that a consideration for the clergy and the other members of the Church as such, a disposition to attach weight to their feelings and views, a regard to them as a body, having like the members of other religious bodies conscientious convictions, and entitled to have those convictions respected, should influence Parliament in the exercise of its legislative powers so they bear upon the affairs of the Church, and should also influence the Ministers of the Crown in the exercise of those very important executive powers of patronage or otherwise, which fall to them in that capacity. I think my self entitled to believe, that Parliament [illegible] chief to extend views of whatever kind, [illegible] affairs of the Church. [illegible]

out a great part of the last century, there was, not indeed an active or violent antagonism, but a fundamental want of harmony between our civil and our ecclesiastical institutions; political influence went one way, and the dispositions of the clergy, and of most persons who were zealous in the religion of the Church, the other. What was the consequence? It was a total relaxation of discipline; the ties of affection which should unite bishops with their clergy, and pastors with their flocks, became more and more feeble; there was a rapid and perpetual decline of religious activity; and the scandals of the Church (which of course are not to be regarded as those of the clergy alone) became at length gross and notorious through the Christian world. When the French Revolution burst like a clap of thunder on Europe, then there began among the higher classes, as venerable witnesses, now and lately alive, have assured some among us, a revival of religious feeling. But shortly before that Revolution, the whole relations of the Church and the people appeared to be rapidly sinking into the condition of a mere form; they were too generally reduced to a skeleton of dry bones, without life, or heat, or movement; there were no warm and living bonds of love and of duty such as ought to connect a Christian people with their ministry. If Parliament were to be governed by a spirit of hostility and of jealousy to the Church, it might in certain periods produce again results like these. In a generation already verging towards indifference, it might plunge the Church more deeply into lethargy; for, in this free country, with the laws, tempers, and habits which happily prevail, you cannot make any class or body of men, be they clergymen, or be they laymen of whatever kind, discharge their duties cordially or efficaciously by measures of restriction and coercion, or by the mere exercise of authority. Especially in regard to the Church, from the very nature of its office, which depends so essentially on the affections of the people, you must infuse a genial and a kindly spirit into all your proceedings, unless you are prepared to take upon yourselves the re-

sponsibility of one or the other of two tremendous evils; either the evil which I have named, of paralysing all spiritual energies in an age of indifference, or in an age of religious warmth and excitement, and of rising faith within the Church, such as this, the evil of exasperating those energies, and of causing convulsions which might ultimately prove almost as detrimental to the civil as to the ecclesiastical institutions of the country. If, therefore, we desire to see what is called a working or an efficient Church; a clergy that will toil without remission until it has covered the whole space, now unhappily void, amongst the people with the life-giving ordinances of our religion, acting with zeal and love, as well as with a true moderation, in the spirit of that system of faith and discipline under which they are appointed to work; we cannot contribute to this purpose, though we may defeat it, by a policy of jealousy and repression; we may contribute towards it, if the duties of the State in Church affairs be discharged in a wise and considerate, I will say also in a genial and friendly, and something of a confiding temper. Such, then, is the mode in which, as it appears to me, it would not be difficult to provide sufficiently against the embarrassments which might otherwise arise out of the successive infusion of many new and alien ingredients into the composition of the Legislature. But I should think it a very great misfortune indeed, if there were no other mode of avoiding those embarrassments than to reject a measure like this, which has civil privileges for its subject matter, and to announce to the Jew that, on account of the partially religious or ecclesiastical duties of Parliament, we shall now, after all we have done in relieving different classes from disability, and recognising their fitness for admission here, after all we have done for him in conferring upon him such functions as those of the magistracy and the franchise, apply as against him the exclusive rule in a manner, as I think, so partial and unequal, and take our stand upon a ground so very narrow as that lying between what we have already given, and what we are now asked to give. The opposition to this measure, in order to de-

serve respect, must be placed upon the ground of religion; but it could only attract respect, when placed upon that ground, if it could be shown that there is breadth in our distinctions, that there is some consistency in our policy, that our rules are impartially applied; conditions none of which I am able to realise in any opposition that can now be offered to the Motion of the noble Lord.

Upon a general view, then, of the case, I cannot but feel that my noble Friend has misconceived the purport of this measure in its bearing on the religious character of the constitution, and has therefore greatly overrated as well as misjudged its effects. I am unable to detect any practical evil or inconvenience likely to flow from it, in any degree equal to the evils that would follow its rejection upon grounds that I take to be not only insufficient, but even false and dangerous. I rate highly the position of the Jews in the State, and I find their competency for civil duties asserted in the very largest terms, by one whose strenuous opposition to their claim does but add to the cogency of the witness he has borne in their favour. I cannot, then, but close with the appeal which the noble Lord opposite has made to us, and admit that in the measure he has proposed he is himself aspiring, and is inviting us to perform an act of justice. But if it be such, then it is one worthy of a Christian legislature to enact, for Christianity recognises no higher, no more comprehensive obligation. If we refuse it, I conceive that the wrong which on civil grounds we shall have done will be more acutely felt, and more pointedly shown, from year to year: if we adopt it, in spite of the prepossessions of others, and perhaps of our own, we shall have the consolation of finding that calm reflection will surely and speedily prevail. We shall have the consolation of believing that we have used the light that has been given us not heedlessly, but to the best of our care and judgment, and having so done, may entertain the hope that it will guide us aright. Especially we may feel assured, that if the act we have done be indeed an act of civil and social justice, then,

AN EXAMINATION

OF

THE OFFICIAL REPLY

OF THE

NEAPOLITAN GOVERNMENT.

BY THE RIGHT HON. W. E. GLADSTONE,

M.P. FOR THE UNIVERSITY OF OXFORD.

Clarence. Relent, and save your souls.
1 *Murderer.* Relent! 'tis cowardly, and womanish.
Clarence. Not to relent, is beastly, savage, devilish.

RICHARD III., *Act* i., *Scene* 4.

LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1852

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CONTENTS.

AN EXAMINATION,

&c. &c.

When I addressed the Earl of Aberdeen in the month of July, with respect to the State Prosecutions of the Neapolitan Government, I did not expect to return to the subject. But neither did I then expect to be encountered in the field by a responsible antagonist. The appearance of the Neapolitan Government itself,* under the form of a publication carrying its authority, upon the arena, has altered my position. I have now thought it my duty to that Government, as well as to the public, to place its reply point by point in the scales along with my accusation, and strictly take account of the result.

And my first duty is an agreeable one: it is the duty of confessing that, whatever may have been the prudence of the decision to appear and plead in the cause, the course taken has at least been a manly and an open one: this openness, this manliness, lead to and justify the hope that that Government will not shrink from the logical, legitimate, and obvious consequences of the step it has thought fit so deliberately to adopt.

It may, indeed, seem strange that this reply, if published in Naples, where the accusation, of course, is not permitted to appear, and rendered by authority into French, for publication in a most respectable Parisian journal, should not, so far as I am able to learn, have been published at all in England, where the charge was originally advanced, and has attracted general attention among all classes. I can only ascribe it to the fact, that in this country there is but one opinion, so to speak, through all orders

* Rassegna degli Errori e delle Fallacie publicate dal Sig. Gladstone, in due sue Lettere indiritte al Conte Aberdeen. Napoli, Stamperia del Fibreno. 1851. A French version, announced as by authority, appears in the 'Journal des Débats, of the 27th, 28th, and 30th September.

of this community upon the melancholy subject. I suppose it was felt that, merely as a confutation ought to have been hailed, a reply which is not only no confutation of my statements at all, but not even an attempt at one, would have been a waste of words in one of those countries, where it is a fixed and traditional practice to canvass with the utmost freedom all the acts of those in public authority, and where this liberty and habit of unrestrained discussion are prized as one of the very chiefest and most *necessary* bulwarks, alike to loyalty, to order, and to freedom.

I have termed the production before me a reply which is no confutation, nor even an attempt at one; and I must freely confess that my first quarrel is with its title. It is called 'A Review of the Errors and Mis-representations published,' and so forth; but, if the object of a title be to give a correct description, it ought to have been denominated 'A Tacit Admission of the Accuracy of Nine-tenth Parts of the Statements contained in Two Letters to the Earl of Aberdeen.' For those who do not enter into the case, it sounds very well when they are told that the errors and mis-representations, or, as they have in some quarters been called, falsehoods and calumnies, of my letters have been answered; but I now assert, without fear even of challenge, that nine-tenths of my most startling assertions are passed by in total silence in the apology of the Neapolitan Government. And I suppose it is no extravagant assumption if I treat that silence, in an answer that made its appearance three or four months after the parties were made acquainted with the charge, as simply equivalent to an admission of the facts.

Before I enter on particulars, let me observe upon that which next after the title meets the eye in the pamphlet before me, its very significant and well-chosen motto; *errare, nescire, decipi, et malum et turpe ducimus.* I at once recognise both the general truth and the particular application. Notwithstanding the courteous and forbearing tone of the pamphlet, its writer (whether he be a single or a composite person I shall not stop to inquire) felt that he could not do justice to his case—if at least he imagines it to be a confutation of mine—without intimating that to be ill informed, to blunder, to be duped, was nothing less than criminal and base on the part of one who undertook to impeach, on grounds so high, and in language so unmeasured, the proceedings of a Government.

I am certain the writer cannot feel this more strongly than I do. I re-echo the proposition. I subscribe to the doctrine as cordially as I profoundly differ from some doctrines which he has broached. Launched on the twentieth year of public life, with my lot cast in a stirring country and a stirring time, I cannot plead the character of a novice in excuse or palliation of temerity. Neither can I throw the smallest fraction of my responsibility for the measure of publication, at the time, and under the circumstances, when it took place, on any other person: the appeal to the world which I made in July last, although it came in connection with the name of the Earl of Aberdeen, was my own act, and my own act alone. I very well knew that on the general truth of my charges I was staking my own character, which, though little in itself, is much to me. I am the first, not to admit only, but to urge, that to have gathered such charges upon hearsay, to have made them my own with levity and haste, to have swerved one inch from strict impartiality through the hope of popular sympathy and applause, to have aimed blows at the cause of order and stability by exaggerating defects incidental to all governments, or to have claimed or exercised, upon any general grounds, the functions of a cosmopolite for the rectification of the affairs of a foreign country, and by such means to have bid for the favour of persons to whose political opinions I demur—this would, indeed, have been in me conduct criminal and base; so criminal and so base, that it would have deserved reprobation only one degree less in intensity than that which I invoked upon the deeds, which it was my purpose to brand with infamy and shame.

But, indeed, all these charges of levity, of ignorance, of herding with republicans and malefactors, and the rest, are not worth discussing; for the whole matter comes to one single issue—Are the allegations true, or are they false? If they are false, I shall not be the man to quarrel with any severity of reproach that may be directed against me; but if they are true, then I am quite sure the Neapolitan Government will take no benefit by insinuating doubts whether sentiments like mine, even if well founded, ought to be made known,* or by taking any trivial and irrelevant objection to my personal conduct or qualifications.

* Rassegna, p. 5.

anxiety that in some manner the political party, with whose foreign policy I had been associated, should be effectually disconnected from such proceedings. I must confess that arrests, which I saw going on around me, and with the particulars of which I was more or less acquainted, had shocked me to the very last degree; and I now look back on them with the same unmitigated horror. I was, in short, convinced of thus much,—first, that I could not with perfect ingenuousness appear in the circle of the Court, and remain silent upon these matters; secondly, that the malady was deep, and must be dealt with by influences—friendly, indeed, and considerate—but of a weight and authority far different from any that I could bring to bear by my merely personal representations. For these reasons, when the time for holding a reception was about to arrive, I begged leave of Sir W. Temple to withdraw the request I had made to him; and I trust it will thus appear that, whether I judged correctly or otherwise, I was not prompted

by a wanton disrespect for constituted authority or for the Royal Person. I had no such sentiment either towards the person of the King or towards his throne. My fervent desire was, and even yet is, that that throne may be established in truth and righteousness; and my deep conviction of the revolutionary tendency of the proceedings against which I wrote, was with me one very strong reason for attempting their exposure.

I will now proceed to present the balance-sheet, which the Government of Naples and the public are alike entitled to demand of me. I shall state distinctly, how many and which of the allegations contained in my Two Letters to Lord Aberdeen I think it my duty to qualify—what and how many of them are seriously contested. It will readily be believed that the time which has elapsed since my first publication has not been barren of fresh information to me; but I feel so convinced both of the sufficiency in amount of the statements already before the world, and of the demonstrative confirmation they have now received, that I shall introduce no new heads of charge, and shall be very sparing of new illustrations of charges already made, except in the few cases where they have been questioned. One effective weapon I deliberately refrain from using—I mean the startling enumeration of my uncontested accusations; for feeling is already awake, and I do not wish, where I can help it, to cloud the serenity of the public judgment. Only to this proposition I must formally draw attention, and claim assent: what has not been contested, is admitted; for the apologist distinctly declares, in his Introduction and elsewhere, that he will deal with the entire case;* "will restore those facts which have been exaggerated to their correct proportions; will point out those that are wholly unfounded; and will expose those that are calumnious." Again, to all the calumnies which I have spread he will "do exact and ample justice." †

As I do not intend gratuitously to enlarge the lamentable catalogue of my facts, so neither shall I needlessly reiterate my vehement and unqualified language. To gibbet infamy such as that of the President Navarro and the Minister Peccheneda, is a task which, like that of the executioner, somebody must perform for the benefit of society; and I have performed it. But no man should needlessly return to the loathsome details of such a business. In

* Rassegna, p. 5. † Ibid., p. 8.

these pages, accordingly, I shall not insert a word except such as seems absolutely demanded by the course and aim of my argument. The strong language of my Letters I leave upon record, simply saying that I wish any the least part of it could with propriety be either repented, qualified, or withdrawn.

Passing by, then, the statements which no attempt is made to dispute, I shall advert, firstly, to those which, being contradicted, are also proved to be erroneous, or which, upon the whole, I see reason to withdraw; secondly, to those which are indeed contradicted without my having found any cause to recede from them; thirdly, to those which are noticed with the apparent intention more or less of leaving an impression that they have been contradicted, but without any real contradiction at all. I must likewise notice cursorily a fourth and a singular class; that, namely, of contradictions which have been volunteered by zealous defenders of the Neapolitan Government, but which, instead of being taken up and adopted by its recognized and official advocate, are passed by in total and very significant silence.

I. Of the first of these classes I shall rapidly dispose.

1. I have learned nothing to confirm the statement, which I reported as probably though not certainly true, that Settembrini has been tortured.* I therefore think it my duty to withdraw it, although it is not met by the Neapolitan Government with an explicit denial.

2. I have committed an error in saying he was condemned to double irons for life.† Double irons form no part of the sentence of the *ergastolo*, which was his commuted sentence.

3. I have stated that six judges were dismissed at Reggio, upon presuming to acquit a batch of political prisoners.‡ This is an error. The statement should have been, that three were dismissed, and three removed to other posts. This removal is not an uncommon nor an ineffective mode of punishment.

4. I have stated that seventeen invalids were massacred in the prison of Procida on the occasion of the revolt. I believe this also to be an error.

5. I have stated that certain prisoners acquitted in the trial of the *Unità Italiana* were, when I last heard of them, still in prison. This is calculated to convey an impression that they were detained

* First Letter, p. 18. † Ibid., p. 18. ‡ Ibid., p. 28.

for some considerable time after acquittal, which is not correct. The 'Review' states, and I do not dispute it, that the acquitted prisoners were released after the lapse of only two days.

Such is the list of retractations I have to make.

I have been much criticised for constantly using the expressions "I believe," "I have heard," "It was stated to me," and the like, instead of pursuing the simple strain of assertion throughout: and it has been strangely inferred, that I raked together mere hearsay and rumour, and inculpated a Government on the strength of them.

I did endeavour with laborious care to appreciate, and, by these phrases and otherwise, to give my readers the means of in some degree appreciating, the evidence, varying in amount, for each one of my allegations. The result now proves, that I have been successful beyond my utmost hopes. The words that I used most lightly, upon presumption rather than knowledge, were words of commendation with respect to an individual in high station.

Not one among the whole list of accusations rested upon hearsay. Every one of them had either demonstrative evidence or reasonable and probable evidence in its favour. It may now be seen, in these pages, how small and insignificant a fraction of error made its way into the Letters.

For, having given my retractations above, I must guard the reader against supposing, either that those erroneous allegations imputed to the Neapolitan Government what was worse than many of my unquestioned and admitted statements, and thus heightened the general colouring of the picture, or that, in correcting my details, I am prepared to recede from the substance of any one of the charges.

Though Settembrini has not been tortured, it must not be assumed that torture is an instrument from which, when convenient, the police always shrink; or that my imputation of it is the first they have heard.* The assertion that corporal agony is inflicted, and that without judicial authority, by the Neapolitan police in the prisons, I now make with confidence. The fact that it is utterly illegal unhappily does not afford the very faintest presumption to the contrary.

* See, for example, the Protestation du Peuple des Deux Siciles, translated by Ricciardi, Paris, 1848, p. 31.

Again, while stating that Settembrini is not in double irons, I do not mean to mitigate the general idea I have given of his cruel and wicked punishment. He is confined, with eight more prisoners, at San Stefano, in a room sixteen palmi square, which they are never allowed to leave: one of them named Cajazzo, a man condemned for murder forty-nine years ago, who boasts of having at different times murdered thirty-five persons. Several of these exploits he has committed in the prison upon his companions; and I have been assured that the murders in this Ergastolo have exceeded fifty in a single year. What kind of protection, I want to know, is thus afforded to the life of Settembrini?

Again, as to the dismissal of judges. I will not weary the reader of these pages with all the details of mean and shameful revenge which have been used to beat down the high spirit of the legal profession in the persons of the judges. But even the last few weeks have afforded a fresh instance. The political trial called that of the Pugnalatori has recently been concluded in Naples. Death was demanded on the part of the Government; but the sentences passed were principally to banishment. The capital was in amazement at the boldness of the judges: and well it might. Since then two of them have been dismissed; what is to happen further time will show. But this was not all. The Government have actually appointed a commission of review to correct this lenient sentence! I add to this, that, on the occasion of another recent trial, an officer of the executive power was placed in the very chamber of the judges, when they met together to consult upon their sentence.*

It has been said I spoke disrespectfully of the Neapolitan judges.† Certainly, I endeavoured to do so of many of them. But those who blame me should recollect that I dare not praise. To be the object of my commendation, insignificant as it is, would be a burden in Naples which few except the very highest could bear.

I could have found there men, and classes of men, worthy to

* One word in regard to salaries of judges. I mentioned the highest salary paid; but I may give a better idea of the general scale by stating that there is an hospital in Naples, where the annual charge divided by the number of patients yields a quotient larger than the salary very commonly paid to a judge.

† Rass., p. 56.

be praised with all the fervour of thought and language that the heart of man can prompt; but stern prudence has restrained me from offering to them the fatal gift.

And now for the massacre perpetrated at Procida by the *gendarmi*, and rewarded by the Government. I can perceive the source of the error into which I fell. For though invalids were not slain on that deplorable occasion, yet prisoners who took refuge and hid under beds were dragged forth, and shot in cold blood by the *gendarmi* after order had been restored. This was on the day of the riot or revolt. On the 26th and on the 28th of June, when it had long been quenched in blood, the work of slaughter was renewed. I believe I rather under than over stated the total loss of life: and two officers—not, as I said, one—received promotion or honours for this abominable enormity.

I ought to add that I never said the unfortunate victims were political prisoners. But I cannot quit the subject without noticing the surprising fact that the Neapolitan Government actually find fault with me in this case for reviving the discussion of a superannuated and obsolete occurrence.* The massacre took place in June, 1848; and, at the time when the apologist penned this strange criticism, his employers were trying some men, and detaining hundreds more untried in prison, on the plea or pretext of acts they had done in May of the same year! Thus, then, against mercy there is a statute of limitations; but vengeance must never die.

And now as to the detention of acquitted persons. Criminal laws and courts are commonly founded on the principle that men are to be treated as innocent until they are found to be guilty, and *à fortiori* that they are to be treated as innocent when they have been found innocent. But in Naples the principle is, first, that men are to be treated as guilty until they are proved to be innocent; and, secondly, that they may still be treated as guilty when they have been found not guilty. For a verdict or sentence favourable to the accused can rarely amount to a positive establishment of his innocence. The issue raised is not, was he innocent? but, was he guilty? From the nature of the case, the failure to prove guilt will rarely involve proof of innocence: and at Naples, the most favourable reply he can hope from the court amounts to this, that no sufficient proof of guilt has been laid before it;

* Rass., p. 56: *un vieto fatto*, a stale or mouldy fact.

a lame, doubtful, floundering acquittal. But such proof may be forthcoming at a subsequent period; having been tried now is no reason why he should not be tried again, but rather in the nature of a reason why he should. Taken at the best, a favourable judgment only replaces the subject of it in the position in which he stood before, of a person suspected by the police, and deemed by them capable either of political crime, or of knowing, or of being related to, or connected with, some one capable of it. An ample reason, surely, for detaining him in prison, on prudential grounds, and with a view to further investigations. Who could complain of so reasonable a discretion intrusted to the police, especially when it is considered, as the 'Review' informs us, that the members of that corps enjoy, except as to those in its inferior ranks, a degree of estimation with the public varying according to their merits! *

I shall now give a painful proof that this is a true picture of the practices at Naples; specifying that I might supply others more flagrant still.

In the month of November last (and I have heard of no change since that date, now two months back) there were in the prison of San Francesco, at Naples, seventeen priests, some of them holding ecclesiastical dignities and professorial chairs. I do not mean that there were no more than seventeen; but that of seventeen I am about to speak. Five of them had been tried; twelve were in the hands of the police without having been tried. One or two of these twelve only, I believe, had been even charged. One of the twelve, neither tried nor charged, was a chronic invalid of four-score years old. I have the terms for which nine out of the twelve had been thus detained. Three of them were so short as eight months only; two had been thus detained for thirty and thirty-one months respectively.

But I must state the cases of the other five. One of them had been arrested on charges of which he was acquitted, but was serving a sentence of two years under fresh counts laid in virtue of a decree which was passed five months after his arrest. A second had been tried, found guilty, suffered the whole of his sentence, and was still detained in prison by the police. The remaining three had been charged, tried, and acquitted by the Grand Criminal

* Page 58.

Court, but after acquittal they had still been kept in prison—the first I know not how long, the second for eight months, and the third for fifteen. This may sound strange, but there is no marvel in Naples without a sister to it. For a certain Raffaelle Valerio was charged in the cause of the Fifth September, though he had alleged in his first examination that he had been arrested two months before that date, and was in prison at the time of the alleged offence. No notice was taken of this statement. When the trial actually came on, but not till then, the allegation was inquired into and found true, and he was acquitted. In the mean time, he had spent thirty-three more months in prison.

I shall not give all the particulars of the condition of the priests to whom I have referred, but a few only. They are imprisoned, then, in defiance even of a rescript of the reactionary period, dated June, 1850, against preventive arrest in the case of priests. They are confined in a prison chiefly used as an hospital, of course for the benefit of their health. They are allowed, for clothing and maintenance, the liberal sum of six grains, about twopence halfpenny, a day; and even this they have had a hard struggle to keep. They are still, however, as priests, spared from the floggings which the police inflicted upon members of the other learned professions; but they have the affliction of living in a place where herds of young lads, taken up for petty offences, are kept for months and years, without care or discipline, and inured to the general practice of vices too horrible to name.

I have now, I think, made good the undertaking with which I entered on this class of statements.

II. The next portion of my task is to deal with the points in which the Neapolitan Government have controverted the substance of my inculpatory statements, but in which I find no cause to recede from, but more to heighten, them.

The material contradictions, then, made to me, which fall into this class, are as follows:—

(1.) I have stated that at the time when I left Naples "a trial was expected to come on immediately in which the number charged was between four and five hundred;"* and the reply is that the "Act of Accusation," published on the 11th of last June, contained the precise number of thirty-seven.

* Page 10.

I adhere to my statement as it stands, adding that all these men, charged for the events of May, 1848, had already received an amnesty for those acts, solemnly published on the 24th of that month, but since declared null by Navarro and his colleagues.

I admit that forty-six only, not thirty-seven as the Review states, were formally indicted by the Government in Naples before the Court. But at the same time were instituted two similar trials for the same events in the provinces of Salerno and Terra di Lavoro respectively, the first of which included fifty-four persons, and the second forty-six. Thus then the number of thirty-seven is at once raised to one hundred and forty-six persons.

But this is far below my number. What then became of the residue? An hundred were, as we have seen, disposed of by processes in other provinces; and I have before me the "*Requisitorie ed Atti di Accusa*" in the cause, from which it appears that the number of persons whose names were included in the process by the Procurator-General was three hundred and twenty-six. Thus we have a total of four hundred and twenty-six, which seems pretty well to warrant my statement, that the number was "between four and five hundred." But even this was not the limit; for the words are judiciously added,* "together with others not yet well enough known"!

It is quite true, however, but in no way weakens my statement, that the trials of these three hundred and twenty-six were not at once proceeded with. For three of the whole number, and three only, the process was unanimously declared extinct, upon a ground, the sufficiency of which cannot well be doubted: they were dead.

I will now show how these three hundred and twenty-six were disposed of in the month of June last.

The papers against them amounted to 227 volumes; and it was doubtless found necessary to reduce the numbers to be included in one and the same trial. The Procurator-General, accordingly, demanded that the court should commence forthwith the trial in the cases of forty-six, and the process of judgment as in contumacy against fifty; should give warrants of arrest (which it will be remembered commonly *follow* arrest) against three; should direct further examination and prosecution of the cause

* Requisitorie, &c., p. 15.

against two groups, one of twenty-nine, and the other of fifty-seven; should suspend proceedings against two other groups, one of fifty-nine, and the other of seventy-five; should remit two to the local judges; extinguish the process for three who were dead; and declare in respect of two that there was no ground for any proceeding against them. These demands were voted by the judges, with some trivial variations, and one more significant. It relates to the two living men whom, with the three dead, it was proposed by the Government to let off. The language of the Procurator-General was strong. He declares there was no shadow of evidence against the first of them, while excellent reports of his political conduct had been received. His name was Leopoldo Tarantino. The other was named Giacomo Tofani: he had been arrested because he bore the same name with another person whom the police wanted to get hold of; and the manner in Naples is, if there is a suspicion against John Jones, but there are two John Joneses, and it is not known which may be the man, to take both. Thus it had happened that Giacomo Tofani had been arrested by mistake. On these tolerably sufficient grounds, then, the Procurator-General desired the release of these two. Will it be believed that there was a division among the judges upon the question of releasing them? It was carried, indeed; but the language of the judges in regard to these men was, that the proofs against them were vague, and preponderated for their innocence rather than their guilt.* What keenness of scent, what fidelity of instinct, what appetite for condemnation! The prosecutor declares one case to be a simple mistake; the other without a tittle of evidence; and the judges find by a majority that on the whole the evidence preponderates, forsooth, for innocence!

But I said, and I say again, fresh investigation usually tends to heighten, and not extenuate, these proceedings. I said incautiously† that the Government had laid aside—meaning they had abandoned—the charge founded on the famous forgery, in the case of Poerio. I was wrong. That forgery is still alive. In this same cause of May 15 are the names of Poerio and Dragonetti; and it is expressly voted by the judges that the case of this prosecution (that is to say, upon the forged letter) is reserved for further investigation.‡ Dragonetti remains untried in prison all the while.

* Requisitorie, &c., p. 68. † First Letter, p. 20.
‡ Requisitorie, p. 75.

Lastly: such being the numbers, and such the facts, the Government has packed the court (the First Chamber) with a majority of judges who may be depended on for rigour. At their head is, as usual, the shameless forehead of Navarro. Radice, who could not be trusted, having in a previous trial voted for acquittal, was translated to the Second Chamber. His place is supplied by Nicola Morelli, on whom full reliance may be placed; and who, with Canofari, Cicero, and Vitale, all gathered round Navarro, will in due time do full justice to the cause of order, as it is understood by them. Nay more; to meet the possible case of an accidental vacancy, Mandarini is in readiness as a *Supplente*. He has just been made *Cavaliere;* and is supposed to know something of the authorship of the *Rassegna* or Review of the Two Letters.

I have now done with the cause of the 15th of May; and I really must ask what fatuity it was that tempted the Neapolitan apologist to venture upon such a ground?

(2.) I have stated, and the point is one of importance, that the accusation of Jervolino "formed the sole real basis of the trial and condemnation of Poerio." * This is contradicted by the reply,† and an animated defence is offered on behalf of Jervolino, who I have no doubt is a worthy representative of the class to which he belongs; a class, occupying a high place in the working machinery of the Neapolitan Government; a class, whose character has been drawn once and for ever by Manzoni in those burning words, "*diventando infami, rimanevano oscuri.*"‡ It is also observed, with an unconsciousness altogether worthy of notice, that, even although a portion of Jervolino's evidence should have been disproved by its own self-contradiction, it does not follow but that the rest of it might be true. The notion of public justice and morality involved in a remark like this is worth far more than pages of argument or invective from an opponent in revealing, and in realizing to the minds of foreigners, the real spirit and character of the political system of Naples.

I have then to repeat my statement, that Poerio was condemned only on the evidence of the paid informer Jervolino; I add that this took place though evidence was offered of his being paid,

* Page 22 † Page 41.

‡ In the 'Colonna Infame.'

and though by the law of Naples the evidence of a paid informer cannot be received.

My assertion was supported by a reference to certain evidence of Romeo and Margherita, with reasons why it could not stand. There was another piece of hearsay evidence, which I thought not worth mention; for it went merely to the point that a man called Cantone was making use of Poerio's name to recommend himself, without any proof or presumption that he had authority so to employ it. Now I do not really believe, that the mind of any judge was or could be influenced by testimony of such a nature, which at the most could only have been used as a clue to further inquiries.

(3.) I stated, that the fate of Poerio and his companions had been aggravated since my departure from Naples by their removal to Ischia.

The official reply assures us of various recent relaxations of some importance. I know from other sources that Poerio was in the hospital during the autumn: according to the custom, he was not chained, while there, to another person; he, however, carried his own chain. At another time he was released from the double chain, and was himself chained to a ring in the centre of the floor, I believe called the *puntale*, instead.

I rejoice in any amelioration of such a lot; and the even partial escape from double chaining is the escape from a horror which, for a gentleman, cannot be exaggerated.

But I grieve to say that my statement was but too strictly true. Bad as was the condition of Poerio and his fellow-sufferers at Nisida, it was greatly, and, I fear, purposely, aggravated by the removal. One word, however, upon Nisida. It is denied * that the Bagni are under the care of his Royal Highness the Conte di Aquila, of whom I had said that as admiral he had charge of the island. But it is not denied, that an order was sent by his Royal Highness to enforce at that time the use of double irons in the prison; and the fact, I believe, is, that I was inaccurate in stating the Prince had charge of the *island* as admiral: he has, however, in that capacity, together with other '*Rami alieni della Real Marina*,' charge of the *forzati* or convicts. It is admitted † that Palumbo visited the prison in the capacity of a subordinate officer to the King's

* Rassegna, p. 50. † Ibid., p. 51.

brother. Thus my assertions are made completely good. But it is boasted, forsooth, that he did not deprive some of the prisoners who were in the best circumstances of the mattresses they had, by their own means, procured. I will add, while touching upon mattresses, another fact. Nisco was carried while ill to Nisida. On arriving there he was put into the bed, and made to use the bed-linen, of a patient who had just before died of consumption.

Upon arriving at Ischia, the prisoners removed thither were put into filthy dens, so contrived that a sentry had the power of seeing and hearing whatever passed in them. With this sentry was a companion, who was supplied with that mild recipe for preserving order, a stock of hand grenades. Though the prisoners had never been out of custody, they were subjected to a personal search, much more minute than decent. Their money, linen, and utensils were taken from them. The boast of permitted mattresses does not reach to Ischia; for three months they had to sleep upon the stones. For their meals, they were allowed neither seat, table, nor cup. Cups, it may be said, were hardly wanted; for their allowance of water was reduced to three Neapolitan pounds (36 ounces) per day, of bad quality. There, too, a navy surgeon was placed *in disponibilità*, something between suspension and dismissal with us, for having inconveniently certified the ill-health of a prisoner. To us it may sound less than it was felt by them to be, that in the hot month of June they, the political convicts, were, (I believe, exclusively,) ordered to wear their thick and heavy dress of coarse woollen and leather, both in and out of doors. A woman of abandoned profligacy, whose name I forbear to mention, ruled the house of the commandant, insulted the prisoners, and the women of their families, when applying for admission to see them, at her will, and caused a serjeant to be sentenced to confinement for not having forced the wife of one of them to part with the infant at her breast when she was entering to see her husband. And, omitting other particulars, I shall conclude with stating that these gentlemen were compelled to attend the floggings inflicted in this bagno for various offences on the vilest of the convicts, the refuse of the refuse of mankind. Such are the accounts that I have received through channels that command my belief. I will not, indeed, believe that those in authority at Naples are aware of all this. I will hope that, as to

much of it, they are more grossly darkened than the most careless gatherer of hearsay rumours among the butterfly visitors of Naples; but I really must remind them of their appropriate motto, *errare, nescire, decipi, et malum et turpe ducimus.*

Of the effect upon the health of the prisoners that such treatment must produce, it is painful to make an estimate; and were anything too strange to be woven into this melancholy tissue of fact that eclipses fiction, I should have received with incredulity the further statement, that Pironte, when suffering under a paralytic affection, was not suffered to enter the hospital, and that oral orders were given by General Palumbo that only three of the political convicts should at any time be allowed to be received there at once!

But I must not omit to call attention to the statistics of the results. They were, I believe, as follows, as early as September last:—Seventeen persons had been condemned to irons in the preceding February; three of them were by that time ill at Ischia; one at Piedigrotta; three at Pescara; while three more, Margherita, Vallo, and Vellucci, were dead. Surely, then, the gallows may well be spared!

III. Passing on from the contradictions thus offered me, I have next to deal with the cases in which the semblance of a contradiction to my statements is put forth, and I am, of course, found guilty of exaggeration or calumny; while any real contradiction, such as can be dragged forth to light and brought to account, is carefully avoided.

1. Thus there is a very long statement* made of the process prescribed or indicated by law for the treatment of offenders, which is meant to be taken as a reply to my charges on that head.

But the author has passed by the fact that my main charge against the Government is its utter lawlessness. I am obliged to repeat it: and I say there is no body of brigands in the country which breaks the laws of Naples with the same hardihood, or on the same scale, as does the Government by the hands of its agents.

The law of Naples, however, is not that which my Reviewer has stated it to be. The law of Naples is the Constitution of 1848. That is the law which is systematically, continually, and in all points broken by the Government. But even the older, and the newer, laws of the absolute kings of Naples are broken also in

* Rassegna, pp. 14–25.

the most flagrant manner. In some points probably they are not; namely, where they need no breaking; and where their character is already harsh and cruel, as I believe to be the case with the law of treason generally. Again, what need to break the law in a point like that where the author tells us * that in all State offences the police may arrest and detain prisoners *without being confined to any limit of time?*

I should, however, be abusing the patience of the reader were I to discuss anew that part of the subject which relates to the arrest, prosecution, and trial of those who have been so unhappy as to become objects of the suspicion, malice, cupidity, or vindictiveness of the police. For it has already been sifted to the bottom, in a work prepared, indeed, and published without my privity, but which has fallen under my eye: it is entitled 'A detailed Exposure of the Apology put forth by the Neapolitan Government,' † and has evidently been drawn up with a carefulness and knowledge equal to the singular ability it displays. It is only lest the circumstance of its being anonymous should slacken the interest its title would create, that I have thought it my duty to make this reference.

2. Again, when I have stated, as an eye-witness, that prisoners in the Vicaria are brought upstairs to the doctors, instead of being visited by them, according to the rules, it is no answer to me to say that the physicians of Naples are highly respected, and discharge all their duties honourably. And as I am thus met, I will go further, and say, the medical men of Naples exercise their profession as regards State prisoners in fear and trembling, and that they are frequently compelled, by the fear of the displeasure of Government and of the loss of their bread if they make an inconvenient report, to consider the wishes and purposes of the police in stating their professional opinions rather more than the health of the prisoners.

3. Again, I stated ‡ that Pironte was confined for two months before his sentence in a cell at the Vicaria eight feet square, with two companions, lighted only by a grating at the top, out of which they could not see.

I am told in reply § that Pironte wrote his defence in this den, and that the present King shut up the dark subterranean dungeons. But I never said it was dark; never said it was sub-

* Rassegna, p. 18. † Longmans, 1852. ‡ Page 16. § Rassegna, pp. 28, 29.

terranean: and I am met with mere sound and vapour, instead of plain answers to plain and pointed allegations. I must, however, observe on a strange proceeding. In this and several instances, my charges, in order that they may afford some matter for contradiction, are very grossly mistranslated,* and the answer is given to the sense thus put upon them.

Yet, although this pretended reply does not contradict me, I must contradict it. I know not what refinements may enter into the strict definition of a *criminale*, but I say that the dungeons are not shut up. Porcari was in a dungeon last February, untried. He is there still. Here, again, I am met with a make-believe reply, and told that the name Maschio belongs to a promenade in the highest part of the Castle of Ischia, and that there are cells near it for such prisoners as have broken the rules of the Bagno. What have we to do with them? I stated † that Porcari was lying untried in a dark dungeon, twenty-four feet, or else palms, below the level of the sea; I believe I should have said of the ground. This statement is not denied. I will now enlarge it, by adding that, in this horrible condition, he is completing the third year of his imprisonment. Beyond the place in which he is immured, nothing can be known of him. The commonest prudence forbids communication about him with the only person allowed to visit him in that Stygian abyss—his wife. And we must recollect that, had he escaped, she might probably have been taken in his stead. For it is a practice of the chosen defenders of order and the public peace at Naples, if they are in search of a political suspect, and conceive he has absconded, to arrest and detain indefinitely any of his relations they please; for is it not possible that they *may* know whither he is gone? I do not speak at random. About one year ago, a Neapolitan named Morice made his escape from his country. In June last, his household, *consisting exclusively of women*, was subjected to one of those nocturnal visits from the police which I have described. They carried off one of his two sisters and an aged domestic servant; they moreover apprehended a male relative, who was the stay and adviser of the family. The second and only remaining sister they humanely left to enjoy her freedom as she might. Nay, such was the excess of leniency, that the old servant, accused of nothing, was released after two months' confinement. The male relative and the arrested sister were still,

in November last, expiating the crime of their relationship. The treatment of these women by the gendarmes was such, that one of that body, by the orders of a foreign soldier not dead to the spirit of his profession, received a severe flogging for it. Indeed, I have been informed that, for two months, the sister thus arrested was confined in a cell along with two common prostitutes. I could add other instances of confinement in *criminali* or dungeons, by which I understand the apologist to mean cells commonly underground and wholly or almost without light. But it is needless. For his assertion on this head, although made to carry half a page * of eulogy and adulation, seems to be cautiously restricted at the close to this, that there are now no unlighted cells below the level of the earth in the particular prison of the Vicaria, which amounts to but little, and was scarcely worth his while to state.

4. I come next to the most important of these cases, namely, the question of the number of political prisoners in the kingdom of the Two Sicilies, which has been made the great rallying point for the defenders of the Neapolitan Government, and the main source and stay of invective against me. Let us now come to the facts.

The substance of my own statement † on this point is as follows: 1. That "the general belief is, that the prisoners for political offences in the kingdom of the Two Sicilies are between fifteen or twenty, and thirty thousand." 2. That, for myself, "I do believe that twenty thousand is no unreasonable estimate." 3. That "there can be no certainty on the point," as all "means of accurate information" are withheld. 4. That my statement had "been met by an assertion purporting to be founded on returns, that instead of twenty thousand they were about two thousand." ‡ "Let the Neapolitan Government," I added, "have the full benefit of the contradiction I have mentioned;" upon which I, however, suspended my own judgment.

Upon reviewing these passages, the only fault I have to find with them, strange to say, is this, that they admit too much in favour of the Neapolitan Government. When I wrote the passages last quoted, I had seen a dispatch from Naples, which alluded to certain returns of the number of prisoners, as a contradiction of my statement; but I had not seen the returns themselves; and hence, not doubting that they were what they were

* Rassegna, p. 28. † 1st Letter, p. 9. ‡ 2nd Letter, p. 42.

described to be, I adopted that description, and too eagerly and promptly announced that the Neapolitan Government reduced the twenty thousand to two thousand, and this upon the strength, as alleged, of official returns.

But the moment that these returns met my eye, I could not fail to observe that, though carefully paraded as a contradiction to my allegation, they were, even without the smallest impeachment of their *bona fides*, no contradiction at all; and they left the question exactly where they found it, yet subject to the general rule, as I think, that what is not contradicted in an official answer is really confessed.

I say, without the smallest impeachment of their *bona fides*. I shall raise no question about Cav. Pasqualoni or Signor Bartolomucci, by whom they are attested, although I ought to state that this has been done publicly by others as to the second of these functionaries;* but in justice to my subject, I must observe, that among ourselves, in a contested matter, any returns incapable of verification would be received as so much waste paper. On grounds the most broad and general, they can only deserve credit with the nation when the nation has some control over them, some means of inquiring whether they are correct, of exposing where they are wrong, of punishing where they are corrupt. The responsibility of public functionaries, and a free press for the detection of fraud or error, are the essential conditions of credibility in such documents. Of neither of these is there the faintest shadow in Naples. Even in the point of mere good faith, *whose* good faith is it on which we are to rely? Not the good faith of Bartolomucci and Pasqualoni, who sit peaceably in their official rooms in Naples, but the good faith of somebody in Bari, in Reggio, in Teramo, in Cosenza, and so forth; somebody who, unless he be a happy exception to general rules in those latitudes, is ready at any moment to break, for a piastre, any rule under which he is charged to act; somebody who sends up his schedule, say from Bari, when the public there have no knowledge that he is framing it, just as when it is published they will have no means of testing it; and if they attempted to question it, they would promptly rank as enemies of order, and be added to the number of those who are the unfortunate subjects of the return.

* Massari, p. 173.

But now I will analyze the headings of these returns, and will show that I am strictly accurate in declaring that they leave the matter precisely where they found it; just as much so as if A should say, There were thirty thousand English at Waterloo, and B should reply, No, for I will show you by returns from the Horse Guards, that the Scots Greys did not number eight hundred.

My estimate then refers to the number of "political prisoners in the Kingdom of the Two Sicilies."

We are presented in reply with a "*Stato Numerico degli imputati politici presenti in giudizio in carcere, o con modo di custodia esteriore, presso le Grandi Corti Speciali dei Dominii Continentali del Regno delle Due Sicilie;*" and a "*Stato Nominativo degli individui che trovansi in carcere a disposizione della polizia per reati politici nelle diverse provincie dei Dominii Continentali del Regno delle Due Sicilie.*" These returns give a gross total of 2024 in prison, and of 79 out of prison but under restraint.

Their titles may be rendered into English as follows:—

No. 1. "Number of persons charged on political grounds and under judicial process (being either prisoners or under custody out of doors) before the Grand Special Courts of the Continental Dominions of the Kingdom of the Two Sicilies." And No. 2. "Return of the names of persons in prison under the authority of the police for political offences in the several Provinces of the Continental Dominions of the Kingdom of the Two Sicilies."

It shall now be shown that almost every word of these titles is a separate, clear, and important curtailment and limitation of the account of prisoners, cutting off from the return one large class after another, so that at last the numbers returned have no more to do with my estimate than the number of the Scots Greys with the total number of English at Waterloo. For,—

First. No. 1 is a return of "*imputati*," persons under charge: whereas a main portion of my accusation is, that persons are arrested, and that not by way of rare exception, but habitually and in multitudes, without any charge at all, "per ordine superiore," as the portentous phrase is, it being "the essential aim of the system to *create* a charge," not to discover a crime.*

Secondly. The return does not profess to be a return even of

* Page 12.

all prisoners who have been charged: it is of prisoners who, having been charged, are under judicial process. Here then lies, I must say, a great mystery of iniquity; and whatever be the deficiency in knowledge of Neapolitan law which the defender charges upon me, I am thankful to have just enough for its detection. Be it known then, that before there is any *giudizio*, properly so called, or process before the tribunals, which commences either with the *requisitoria*, or with the *atto d' accusa* or indictment, there is an *istruzione* or preparatory process which may and does cover a great length of time, between the period when the prisoner had a charge lodged against him, and thus became an *imputato*, and the time when his trial before the court commences with the *requisitoria* or the *atto d' accusa*; during which indefinite time, his case is in the hands of the police department, sometimes in a state of growth, sometimes at a standstill, sometimes in entire abeyance and oblivion, as I say deliberately, and with given cases in my mind. But we have by no means done yet, for—

Thirdly. This is not a return even of the political prisoners who have been both charged and put on trial, but of those who have been so put on trial before the Special Courts. I have already adverted in general terms to the meaning of this exceptional form of criminal judicature.* Now there are large classes of political prisoners, who do not come before these special tribunals. For example: soldiers, or civilians who are accused of tampering with the soldiers, are brought, under particular laws, before *consigli di guerra*, or military courts. Offences, again, committed through the press, if punishable "criminally" at all, belong to the ordinary jurisdiction of the criminal courts, under laws of 1821, 1848, and 1849. And lastly, there are large classes of offences only punishable "correctionally," not "criminally," such as suspicious meetings, suspicious words, suspicious writings, suspicious proceedings generally, which are punishable before the local judges, or *giudici circondariali*. None of these can be included in the return before us.

Now I believe that this constitutes a very heavy addition indeed, to the list. For there are in the mainland dominions of

* Two Letters, p. 25. See 'Exposure,' p. 22, for a fuller and more precise statement.

Naples no less than five hundred and thirty prisons in connection with these local courts, and the number of them without political prisoners is comparatively small.

For legal authority in support of these statements, I refer to the work of Signor Massari, entitled "Il Sig. Gladstone ed il Governo Napolitano, Torino, 1851," pages 168-172, and page 177, the writer of which has been aided by the Cavalier Mancini, an exiled Neapolitan lawyer, who has received at the hands of the Government of Piedmont the appointment of Professor of International Law.

Besides all these, there are yet two other most gross and palpable omissions in the Return No. 1 to be pointed out.

Fourth. It takes no notice whatever of those who *have* been tried and sentenced, that is, of the whole class of political convicts: nor, according to its terms, does it include persons acquitted, but still in prison; nor persons who after conviction have suffered their entire sentences, but are not released. Now what are the numbers of the class of political convicts? For the whole kingdom I have not the means of answering the question; but in the province of Teramo, with 203,000 inhabitants, there were, some months ago, two hundred and forty-seven political convicts. If Teramo represents an average of the whole country, the total number will amount to between nine and ten thousand.

Fifth. It takes no notice either of prisoners or convicts in Sicily, though I expressly spoke of the prisoners in the "kingdom of the Two Sicilies,"* and afterwards distinguished from it the kingdom of Naples, or the mainland dominions, to which all my subsequent statements were to refer.†

I have still a few words to say on Return No. 2. It is without date! It is entitled a return of names, and it does not give so much as one name! It is a return confined to persons in prison under the police, "for political offences," *per reati politici;* but *reati* is a technical word, and implies that they have been under process. It is stated by the authorities to whom I have referred, and with every likelihood of accuracy, that it must mainly respect persons who, having been imprisoned, charged, and tried, and having had the rare good fortune to be acquitted, are, nevertheless, still detained in prison at the discretion of the police—a case

* Page 9. † p. 10.

not visionary, as I have already had occasion to show. Thus it may supply the void I have just now pointed out. Nor have we yet altogether done. Return No. 1 represents the numbers under process in each province: and adds (see also p. 24 of the Rassegna) "from this number deducted the persons included in the Sovereign Graces of April 30 and 19 May, 1851, according to the table No. 3." Now table No. 3 informs us that in the provinces of Principato Ultra, Abruzzo Citra, and Terra d'Otranto taken together, thirty-five persons were thus released from process. But No. 1 informs us that, in those three provinces, the whole number under process, from which the thirty-five were to be deducted, amounted to eighteen!

I consider that I have now fully redeemed my engagement to demonstrate that these two Returns, produced as if they were a contradiction of my estimate of the number of political prisoners, are no contradiction of it at all; but that they artfully and fraudulently, by the use of technical terms and in other ways, shirk the whole point at issue, and leave my statement quite untouched.

I must further observe, that thus leaving it untouched, they are in reality among the strongest confirmations it could possibly have received. My language was clear: it related to the sum total of political prisoners. When it was determined to make an official reply, and when months were employed in its preparation, why did the Government omit from its Returns the prisoners not yet charged; the prisoners charged, but not yet under trial before the tribunals; the prisoners not falling within the cognizance of the Grand Courts Special at all; the prisoners acquitted and still detained in prison; the prisoners of all descriptions whatsoever in the island of Sicily?

The matter standing thus, it may be almost superfluous to think of adducing any confirmatory evidence of an estimate which never pretended to be more than an estimate, and which, having been so long before the world, has been thus elaborately evaded, and thus practically corroborated, by those who, had it been untrue, as they had the strongest motives, so likewise had the very best means to supply a real and not a pretended contradiction.

In one of the London journals, the 'Daily News,' there has appeared, subsequently to the Neapolitan reply, a classified statement of the persons who have been in custody in the kingdom of

of all this tirade is directly adopted in the official defence; but I am sorry to add, it is quoted in a note as the testimony of "another Englishman."

"No political offender,"* it is stated, "has been kept above twenty-four hours without being examined." The official reply does not echo the assertion; but, on the contrary,† points out the fact in its own defence, that in cases of political crime the police may detain persons in its own disposal for more than the twenty-four hours specified by law as the term within which they must be examined.

The same rather officious writer alleges that political offenders ‡ are kept quite separate from common felons. I might refer to my own ocular testimony: but it is enough to say that here again the Government are silent.

M. Gondon, the editor of the *Univers*, has, perhaps, been the most forward champion of the Neapolitan policy; and his zeal has so clouded his perceptions that he cannot even state with accuracy the value of a ducat in French money.§ He informs me‖ that the Neapolitan judges are irremovable; a gross error, of which the official reply of course keeps clear.

He alleges that my statement of the slaughter¶ in the prison at Procida exaggerates tenfold the number of the victims. The official reply does not assert that there was the slightest exaggeration.**

He alleges†† that I charge the Government with taking care to chain the prisoners to the men who have denounced them, and says Poerio was chained to a gentleman of his own profession. This last is true; but I had stated it before him. I had not stated that it was the general practice to chain prisoners to the informers against them; but I mentioned a particular case, that of Margherita,‡‡ and the Government does not deny it.

I shall sum up this very singular list by referring to the version which Messrs. Gondon and Macfarlane have given, to much the same effect, of the case of the Deputy Carducci and his murderer, the priest Peluso.

My statement respecting Carducci was,§§ that he was "assassi-

* Macfarlane, p. 30.
† Rassegna, p. 18.
‡ Macfarlane, p. 32.
§ La Terreur dans le Royaume de Naples, p. 37.
‖ Ibid., pp. 37 and 173.
¶ Ibid., p. 42.
** Rassegna, p. 55.
†† Rassegna, pp. 48 and 174.
‡‡ p. 22.
§§ Page 11.

received assurances from one on whom I can fully rely, that he is personally acquainted with the mayor of a Neapolitan town who has himself received from Government an official order to place this Catechism in the hands of all teachers of schools.

I *may properly choose this place to offer an explanation* of the observations in my Second Letter with respect to the conduct of the clergy. It has been said that I have here unduly extenuated the responsibility of the Church of Rome at the expense of the civil authorities. My answer is that I have said nothing whatever about the responsibility of the Church of Rome, either for the doctrines of the Catechism or for the practices of the Government. We might find a very interesting subject for a dispassionate inquiry in the relation between the moral teaching of the Church of Rome (or any other Church), and its development in the practice of her members where she has full and undivided sway; but nothing could have been more impertinent and improper, than for me to have introduced the slightest tittle of such matter into a statement, which I believed to rest on grounds common to all who recognize the obligations of revealed, nay more, of natural, religion. What I did mean was, to prevent an exaggerated estimate (*particularly in England during the year 1851*) of the share taken by the clergy as a body in giving countenance to these proceedings. In this point of view I do not think I have done them more than justice; and I trust the reader will recollect what appalling numbers even of that favoured class have swelled the numbers of the imprisoned. Indeed, I have done them rather less than justice, in saying I was convinced from information that "a portion of them" * made disclosures from the confessional for political purposes; for the particular cases connected with the confessional which reached me, in a form to command my credence, were not more than two.

Such, then, upon the whole matter, is my *compte-rendu*. I am sure it will prove that, in obtaining that general attestation to my personal veracity and trustworthiness, which, and which alone, the permission to address Lord Aberdeen implied, I made no abusive appeal to that sentiment of humanity throughout Christendom, which has replied to me with even more energy than I ventured to anticipate. I believe that, for my own vindication, I might

* Page 57.

without any new publication have relied in perfect safety upon the verdict already given by the public opinion and announced by the press of Europe. The arrow has shot deep into the mark, and cannot be dislodged. But I have sought, in once more entering the field, not only to sum up the state of the facts in the manner nearest to exactitude, but likewise to close the case as I began it, presenting it from first to last in the light of a matter which is not primarily or mainly political, which is better kept apart from parliamentary discussion, which has no connection whatever with any peculiar idea or separate object or interest of England, but which appertains to the sphere of humanity at large, and well deserves the consideration of every man who feels a concern for the wellbeing of his race, in its bearings on that wellbeing; on the elementary demands of individual and domestic happiness; on the permanent maintenance of public order; on the stability of Thrones; on the solution of that great problem which, day and night, in its innumerable forms, must haunt the reflections of ever statesman both here and elsewhere, how to harmonise the old with the new conditions of society, and to mitigate the increasing stress of time and change upon what remains of the ancient and venerable fabric of the traditional civilisation of Europe.

On every account I hope that the matter is not to end here. If it should, it will be another heavy addition to that catalogue of all offences committed by Governments against liberty or justice which the spirit of revolution, stalking through the world, combines and exaggerates, and brings unitedly to bear against each in turn; and which, apart from the Spirit of Revolution, wounded and bleeding humanity cannot but in these glaring instances record.

But I think that the very words traced by the pen of the Neapolitan apologist afford us the *auspicium melioris ævi.* Could any human being, he asks,* imagine that a Government, ever so little careful of its dignity, could be induced to change its policy because some individual or other has by lying accusations held it up to the hatred of mankind? I answer—No. This did not enter into my imagination. But I reply to his question by another: Could any human being have supposed that, on the challenge of a mere individual, the Government of Naples would plead, as it has now pleaded, before the tribunal of general opinion, and would thereby

* Rassegna, p. 7.

admit, as it has now admitted, the jurisdiction of that tribunal? That Government, far from insignificant as estimated by the numbers and qualities of the people whom it rules, and far from weak in material force, has, nevertheless, descended from its eminence, and been content to stand upon the level of equal controversy, in the face and under the judgment of the world.

Now, I say, that to answer the statements of a private accuser is a proceeding no less remarkable and significant, than to alter or modify a course of measures in consequence of those statements. The public and formal endeavour to prove them false implies, by the most inexorable continuity and cogency of logic, that, if they be true, they deserve attention, and should lead to practical results. The endeavour to disprove them by an argument addressed to the European public, is a transparent admission that the European public is to judge, whether or not the endeavour is successful, whether or not the original accusation stands. If the general sentiment be, that the disproof has failed, and that the charge remains, then I say that, by the fact of this answer, the Neapolitan Government stands bound in honour as well as in consistency to recognize that sentiment, and to allow it to act upon its own future policy and administration, in the direction to which it points. As to the question of fact, what the general opinion at this moment really is, I think that not even the Neapolitan Government itself, no, nor its advocates, can be in doubt, if accustomed to consult those barometers of opinion upon which its influences play with freedom.

But it would not be in such case to the individual, that homage would be done. The cheer of a vast assemblage is a sound majestic and imposing; the voice of the person appointed to give the signal for it is one of the most insignificant order. My function has been no higher than his; I have only pointed out and delineated; it is the public sentiment, and the public sentiment of no one country in particular, that has judged. It was to that public sentiment that the Neapolitan Government was paying deference, when it resolved on the manly course of an official reply; it will be to that public sentiment that further deference will, I would fain hope, and I for one care not how silently, be paid, in the searching reform of its departments and the whole future management of its affairs.

When I framed my first representation, I strove to avoid direct

reference to Neapolitan or other politics. The principle on which I proceeded was, that from such conduct as that which I described, all Governments, all authorities, all political parties, and especially those which desired to act in the interest of public order and of the monarchical principle, ought to separate themselves, to disown connection with it, and to say It is none of ours. Such, however, I must own, has not proved to be the case. Partly from religious jealousies, partly from the strange and startling nature of the facts, partly from an instinct which seems to suggest, under certain circumstances, that at a period like this a man can only choose in the gross between those who possess power on the one hand and those who are labouring to subvert it on the other, there has been more or less of the disposition shown, although not in England yet elsewhere, to treat a statement such as that I have made as a sin against one political creed, or as an indication of leaning to another, or of a desire to dally with party and to reap its favours without sharing its responsibilities. This imposes on me the duty of saying that, as I cannot claim one jot or tittle of credit with liberalism or Republicanism, or with liberal or Republican politicians as such, for the witness I have borne, so neither can I accept any portion of whatever censures may be awarded to me as an offender against the principles called conservative, or as having acted in a manner to weaken the hands of any of their champions. The principle of conservation and the principle of progress are both sound in themselves; they have ever existed and must ever exist together in European society, in qualified opposition, but in vital harmony and concurrence; and for each of those principles it is a matter of deep and essential concern, that iniquities committed under the shelter of its name should be stripped of that shelter. Most of all is this the case where iniquity towering on high usurps the name and authority of that Heaven to which it lifts its head, and wears the double mask of Order and of Religion. Nor has it ever fallen to my lot to perform an office so truly conservative, as in the endeavour I have made to shut and mark off from the sacred cause of Government in general, a system which I believed was bringing the name and idea of Government into shame and hatred, and converting the thing from a necessity and a blessing into a sheer curse to human kind.

For I am weak enough to entertain the idea that, if these things

be true—if justice be prostituted, personal liberty and domestic peace undermined, law, where it cannot be used as an engine of oppression, ignominiously thrust aside, and Government, the minister and type of the Divinity, invested with the characteristics of an opposite origin,—it is not for the interests of order and conservation, even if truth and freedom had no separate claims, that the practical and effective encouragement of silent connivance should be given either to the acts or to the agents. This policy, in the extravagant development of it which I have stated, is a policy which, when noiseless attempts at a remedy have failed, ought, on the ground of its mere destructiveness, to be stripped beneath the public gaze, and this, too, before the strain it lays upon human nature shall have forced it into some violent explosion. Certainly, there is a philosophy according to which all this is simplicity, childishness, and folly—a philosophy which teaches, or proceeds as if it taught, that everything should be passed by *aversis oculis*, rather than give encouragement to revolution; and its oracles forget that there are more ways than one of encouraging revolution, as there are of encouraging reaction. Revolution, like reaction, is sometimes promoted by seconding the efforts of its friends, sometimes by opening full scope, or, as it is said, giving rope enough, to the excesses and frenzy of its enemies. Such at least is the doctrine which, in common with my countrymen of all parties, I have learned; and among us the simplicity, the childishness, and the folly would be thought to lie in propounding any other. Yet I grant, that matters of this kind take their forms, at particular times and places, from the human will: such as we will have them to be, such they are. If any friends to the principle of order contend, that these exposures ought not to be made, that they weaken the hands of authority in a day when it has no strength to spare, and that they inflame the cupidity and rage of the enemies of constituted order, I am not prepared to deny that, to the extent and in the sphere within which such doctrines are propounded and bear sway, those lamentable results are really produced. I cannot deny that if the conservative principle required us to wink at every crime purporting to be committed in its defence, it would be damaged by the revelation; but in such case it would be high time that it should be damaged too. As it is, I admit and lament the fact of evil done; I find the cause, not

in the disclosures, but in the reception which has occasionally been given to them; the responsibility for the evil must lie with the authors of that reception.

It may, however, be incumbent upon me, now that a political colour has been adventitiously affixed by some persons to my publication, to say a few words upon the view I take of the political position of the throne of the Two Sicilies in reference to its dominions on the mainland.

While, then, my opinion of the obligations of the Sovereign, in regard to the Constitution of 1848, and of the manner in which they have been dealt with, may be clearly gathered from the second of my Letters in particular, I think justice demands from me the admission that, even apart from the great embarrassments of the Sicilian question, the King of Naples had real and serious difficulties to encounter in the establishment of representative institutions. The dramatic, or, to speak more rudely, the theatrical principle has acquired a place in the management of political affairs in Italy in a degree greater than can recommend itself to our colder temperament. Crudities are taken up hastily and in large quantity: the liveliness of imagination and sentiment outstrips the lagging pace of the more practical faculties and the formation of fixed mental habits: the spire of nationality must be carried up to heaven, before the foundation-stone of local liberties is laid.

From considering the history of the Neapolitan innovations in 1848, and of the reaction which succeeded it, I do not doubt that, although perhaps all Europe does not contain a people more gentle, more susceptible of attachment, more easy of control, the King would have had some difficulties to encounter in working the machine of constitutional Government. Among the members returned to his Parliament, there were a section, though a small section, of decided Republicans. The agitation for a change in the composition of the House of Peers, or in some cases for its abolition, before a representative body had met, and for an extension of the electoral franchise before it had been once used, were circumstances that showed the necessity for a resolute will and a strong guiding hand.

But surely it must in fairness be admitted that there was some apology for this restlessness of mind, and for the "blank mis-

givings" which were its main cause. For 1848 was not the first year when a Constitution had been heard of in Naples. I will not rake up the embers of the past for the purposes of crimination, but it undoubtedly ought to have been remembered for those of considerate indulgence. When a people have on signal occasions seen solemn boons retracted, and solemn sanctions, on whatever plea of State necessity, set aside, who can wonder at, who can blame, their entertaining a vague suspicion of evil—their uneasy searching for new and extended guarantees? And how is this misgiving to be cured? Only in one way—by steady, persevering good faith—by the experimental assurance that the things which have been are not to be again. It is idle to urge the difficulties in the way of working the constitutional machine as reasons for the violation of pledges, when those very difficulties arose out of a mistrust, of which former breaches of promise had been the origin. The only way to cure mistrust is by showing that trust, if given, would not be misplaced—would not be betrayed. By its own nature it is spontaneous, and not subject to brute force; in order to be enjoyed it must be soothed and won.

Now the proceedings of the Neapolitan Parliament, taken as a whole, distinctly prove that, whether wise or not in every step, it was loyal in its intentions to the monarchy. When the question is asked in future times, whether it ventured far enough, and assumed an attitude sufficiently firm in defending the solemnly-established franchises, posterity may, perhaps, return a less favourable reply. But this want of masculine daring is at any rate not an accusation to be pressed against it by the friends of the re-action. As against the throne, the hands of that Parliament seem to have been clean, its intentions frank and upright. When I say that it had within it some portion of intractable material, I only say that which is necessarily true of every representative assembly in the world. Suppose it granted, that through timidity and misgivings it might have been betrayed into encroachments, and might have applied more to organic and less to administrative measures than prudence would have recommended. Sincerity and straightforwardness of purpose were the fitting and appropriate medicine: they would soon have disarmed its impetuosity, and given its real loyalty fair play. There was the country, too, at large: surely that was not republican, that docile and kindly

people, so ready to trust and love, asking so little and believing so much. Why was no trust reposed in them? Why was not the constitutional battle fairly fought? Why was not the regular business of the state allowed to proceed in the forms of the constitution, even to the close of one session? Why was the Parliament dishonoured and spurned in regard even to its primary and most essential function, that of the imposition of taxes? Why were its addresses repelled? Upon the very lowest ground (one far too low) why were not both the chamber and the constituency fairly tried before they were cashiered, and how can it be pretended that they had a fair trial when the Government never submitted to them a policy, upon which to try them, by its acceptance or rejection, and by the nature of the substitutes that might be proposed, but would not allow them to show what they really were, or meant to be, and proceeded from the first as though they meant to break the royal oath, and to catch, or if they could not catch, actually create an opportunity for overthrowing the liberties of the country? Had the King, in 1848, been advised to encounter his difficulties with those "small stones from the brook," frankness, steadiness, and singleness of purpose, his very defeats, had he met them, would have been the surest pledge of ultimate triumph, he would have rested not upon the stark and rigid support of a military force, utterly overgrown in comparison with the population and resources of the country, but upon that confidence and intelligent affection which we see now working out the constitutional problem in Piedmont, notwithstanding the cruel burdens entailed by the recent war, with every prospect of success. It was for factious opposition to the administration, that the Parliament of Naples was extinguished; and I should wish to know what constitution or parliament on earth would have an existence worth a month's purchase, if upon such a plea it might be overthrown with impunity.

It is grievous to witness in the official reply from Naples, as well as in the works of the volunteers, the coarse reproduction of that unmitigated cant or slang which alike among all parties forms the staple of political controversy, when their champions write in the sense and for the purposes of party only, without ever casting a glance upwards to the eternal forms of humanity and truth. The people do not complain; therefore they are the contented and

unhappily receive countenance from recent events. In the very pamphlet before me I read of* the unhappy constitution of 1848, and of "the warm, accordant, spontaneous, and unanimous desire of the people, expressed in a thousand forms and a thousand times repeated, for the abolition of the Constitution and for a return to pure Monarchy." Now I say it is by language of this kind, used with the countenance of authority, that authority and monarchy are undermined, undermined in their original groundwork, the principle of trust and confidence between man and man. It is impossible for human audacity to go further, than in these self-damning assertions. The pamphleteer tells us now, that the Constitution was obtained "by agitators alone;"† but the King of Naples told the world on the 10th of February, 1848, that he granted it to "the unanimous desire of Our most beloved subjects." Was he then undeceived by the conflict of May 15? No, for on May 24 he declared that Constitution to be "the sacrosanct altar upon which must rest the destinies of Our most beloved people and of our Crown," and invoked, in terms the most solemn, the trust of his people. It is now thought decent and politic to say its abolition was sought by the spontaneous and unanimous wish of the people. Their unanimous wish! When that Constitution had created a large electoral body, and scarcely the smallest fraction of members were returned on either of two several elections, who were not heart and soul in favour of the Constitution as against "pure monarchy." Their spontaneous wish! When, as I here and now assert, persons holding office under the Government of Naples were requested and required by that Government to sign petitions for the abolition of the Constitution (which, however, it has not yet been thought proper to abolish, and which is still the law therefore of the land, only habitually and in all points broken) under penalty of dismissal if they should not comply.

The history of one country may afford useful lessons to the authorities of another; and I heartily wish that the annals of the reign of Charles I. of England were read and studied in the Council Chamber of Naples. We have there an instance of an ancient throne occupied by a monarch of rare personal endowments. He was devout, chaste, affectionate, humane, generous, refined, a patron of letters

* Rassegna, p. 9. † p. 9.

and of art, without the slightest tinge of cruelty, though his ideas were those of "pure monarchy," frank and sincere in his personal character, but unhappily believing that, under the pressure of State necessity such as he might judge it, his pledges to his people need not be kept. That king, upon whose noble figure and lineaments, more happily immortalised for us by Vandyke than those of any other of our sovereigns, to this day few Englishmen can look without emotion, saw his cause ruined, in despite of a loyalty and enthusiasm sustaining him, such as now is a pure vision of the past, not by the strength of the antimonarchical or puritanical factions, nor even by his predilections for absolutism, but by that one sad and miserable feature of insincerity which prevented the general rally of his well-disposed and sober-minded subjects round him, till the time had passed, the commonwealth had been launched down the slide of revolution, and those violent and reckless fanatics had gained the upper hand, who left the foul stain of his blood on the good name of England. And why should I not advert to another lesson which the last few weeks have ripened to our hand? King Ernest of Hanover is gathered to his fathers. When he went from England in 1837 to assume his German crown, he was the butt and byeword of liberalism in all its grades, and among the professors of the Conservative opinions, which he maintained in their sharpest forms, few, indeed, were those hardy enough to own that prince as politically their kin; while Hanover, misled as it afterwards appeared by the freedoms of English criticism, received him with more dread than affection. Fourteen years elapse: he passes unshaken through the tempest of a revolution that rocks or shatters loftier thrones than his; he dies amidst the universal respect, and the general confidence and attachment, of his subjects; he leaves to his son a well-established Government and an honoured name; and, in England itself, the very organs of democratic feeling and opinion are seen strewing the flowers of their honest panegyric on his tomb. And why? The answer is brief but emphatic; because he said what he meant, and did what he said. Doubtless his political education had been better than men thought, and had left deeper traces upon him; but his unostentatious sincerity was his treasure; it was "the barrel of meal that wasted not, the cruse of oil that did not fail."

And now, in drawing towards a conclusion of this Letter and with

not in this pamphlet, that my letters are but a part of a covert scheme cherished by England for obtaining territorial acquisitions in the Mediterranean at the expense of the Two Sicilies.

As to the first of these imputations, I have already stated that mere rigour on the part of the Neapolitan Government* would not have induced me to break silence. As to the cases which are quoted by way of retaliation, the difference between England and Naples is not that mischiefs and abuses are never found here and always there. We do not claim infallibility for our Government at home, much less for some forty or fifty Colonial Governors scattered over the world. The difference is this: that when a public officer in the British dominions is suspected of abusing authority, any person who sets himself to expose such misconduct may proceed in his task without hindrance and without fear, without being dogged by the police, without being treated as an enemy to the Throne and to public order, without being at a loss to find channels through which to bring the facts before the community at large, or means of full, rigid, and impartial inquiry; without being told what no public officer high or low would dare, even if he were unhappily so inclined, to say—that things like these, even if true, ought not to be made known. On the contrary, he who tracks the misconduct of public men into its hiding places, and holds it up to the general view, is looked upon in this country by the community at large, without the slightest distinction of party, Tory, Whig, or Radical, not as its disturber, but as its benefactor.

Now, although I am tempted to show by detailed remarks how inappropriate would be any attempt at comparison between the cases cited against England and my allegations against the Government of Naples, I feel that I ought not to encumber and prolong this controversy with matter belonging to a separate inquiry. I shall only therefore observe that I think the writer has mixed together cases of very different merits and bearings; one of them I shall not attempt to criticise, as proceedings may, it is said, take place upon it at an early date, while another must tell directly against him, since the nobleman to whom he imputes misconduct has actually been removed from office, and the third, as I believe, is wholly

* Page 8.

frivolous; finally, accidental instances of rigour, especially at the remoter points of a diversified and extended empire, constitute a delinquency very different indeed from that which I have imputed to the Government of Naples, and that a reference to them, however important in itself, must not be allowed to draw us off from the question under consideration. Whatever these cases be, there are in England the means of free exposure, full public consideration, and fair trial; will the apologist afford us those means in Naples?

Again, as to the imputation of territorial aims in the Mediterranean, any man who has a knowledge of English feeling and opinion must be aware that they now really run in a diametrically opposite direction. The prevalent, and the increasingly prevalent, disposition of this country is against territorial aggrandizement. We can take no credit for this disposition, which I hope to see widened, deepened, and confirmed from year to year; for we have smarted before, and are smarting bitterly at this moment, for having omitted to take more effectual securities against those tendencies to an extension of frontier, which are almost certain to operate if unchecked, where a civilised Power and an expansive race are brought into contact with an aboriginal population. The policy of England does not allow her to derive one farthing from her colonial dependencies. Many of them, those in the Mediterranean particularly, maintained for objects not properly colonial, put her to heavy charge, and nothing is so unlikely as that she should be seized with a passion for adding to their number. That course and tendency of opinion to which I have referred is indeed founded upon motives much higher than those of mere parsimony or thrift, and is allied to influences which among us are of very deep and powerful operation. We begin to learn and feel, that mere territorial possession is not the secret of wealth and power; that colonization, which at no time has been more in favour among us, has other and nobler aims; that the desire to build national greatness on enlarged range of dominion has been a fertile source of war, dissension, bloodshed, and of consequent weakness and poverty to nations.

We have entered upon a new career, that of free and unrestricted exchange, so far as lies in our power to promote i

nations of the world. For the ancient strife of territorial acquisition we are labouring, I trust and believe, to substitute another, a peaceful and a fraternal strife among nations, the honest and the noble race of industry and art. For the contention which desolated the face of the world, in which whatever one party gained the other must needs lose, and which commonly was attended for both alike with mischiefs during the struggle that exceeded the whole value of the prize, England now hopes and labours to substitute another rivalry, in which the gains of one are not the losses of another, in which every competitor may be a conqueror, in which every success achieved in one country implies and requires more or less of corresponding triumphs in another, and which, in lieu of desolating the surface of the earth, makes it smile with the wealth and glory of nature and of art, and teem with every gift that a bountiful Creator has ordained for the comfort or the use of man. Such, if I know anything of them, are the views and machinations, such the labours and the hopes of England. I trust we shall never be drawn aside from them by any eloquence, however seductive, by any scheme, however plausible, that would send us forth into the world as armed evangelists of freedom; and this from the deep conviction, that no heavier blow than our compliance with such projects could be inflicted on that sacred cause. And if it be true that, at periods now long past, England has had her full share of influence in stimulating by her example the martial struggles of the world, may she likewise be forward, now and hereafter, to show that she has profited by the heavy lessons of experience, and to be—if, indeed, in the designs of Providence, she is elected to that office—the standard-bearer of the nations upon the fruitful paths of peace, industry, and commerce.

To sum up all. The execrable practices carried on by members and agents of the Neapolitan Government, if they were before unknown to its heads, are now at least brought to their knowledge, and they themselves must have some idea with what feelings the statement of them has been received in Europe.

The case has come to this point: that either the Neapolitan Government should separate from these hideous iniquities, or else the question would arise, Is it just or wise to give countenance and warrant to the doctrine of those who teach that kings and

their governments are the natural enemies of man, the tyrants over his body, and the contaminators of his soul? And if we thought not, then every state in Europe, every public man, no matter what his party or his colour, every member of the great family of Christendom whose heart beats for its welfare, should, by declaring his sentiments on every fitting occasion, separate himself from such a government, and decline to recognise the smallest moral partnership or kin with it, until the huge mountain of crime which it has reared shall have been levelled with the dust.

If the change can be wrought by the influence of opinion, it is well. But wrought it must and will be, and the sooner the more easily. As time flows on, and new sores form upon a suffering community, necessity will but grow more urgent, and opportunity more narrow, the pain of the process sharper, and its profit less secure.

And now I have done; have uttered, as I hope, my closing word. These pages have been written without any of those opportunities of personal communication with Neapolitans, which, twelve months ago, I might have enjoyed. They have been written in the hope that by thus making through the press, rather than in another mode, that rejoinder to the Neapolitan reply which was doubtless due from me, I might still, as far as depended on me, keep the question on its true ground, as one not of politics but of morality, and not of England but of Christendom and of mankind. Again I express the hope that this may be my closing word. I express the hope that it may not become a hard necessity to keep this controversy alive until it reaches its one only possible issue, which no power of man can permanently intercept: I express the hope, that while there is time, while there is quiet, while dignity may yet be saved in showing mercy, and in the blessed work of restoring Justice to her seat, the Government of Naples may set its hand in earnest to the work of real and searching, however quiet and unostentatious, reform; that it may not become unavoidable to reiterate these appeals from the hand of power to the one common heart of mankind; to produce those painful documents, those harrowing descriptions, which might be supplied in rank abundance, of which I have scarcely given the faintest idea or sketch, and which, if they were laid from

time to time before the world, would bear down like a deluge every effort at apology or palliation, and would cause all that has recently been made known to be forgotten and eclipsed in deeper horrors yet; lest the strength of offended and indignant humanity should rise up as a giant refreshed with wine, and, while sweeping away these abominations from the eye of Heaven, should sweep away along with them things pure and honest, ancient, venerable, salutary to mankind, crowned with the glories of the past, and still capable of bearing future fruit.

6, *Carlton Gardens, London,*
Jan. 29, 1852.

THE END.

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AN ADDRESS

DELIVERED AT THE

SATURDAY EVENING ASSEMBLY

OF THE

Working Men of Chester,

DECEMBER 27, 1862,

BY THE

RT. HON. W. E. GLADSTONE, M.P.

CHANCELLOR OF THE EXCHEQUER.

CHESTER
HUGH ROBERTS, EASTGATE ROW.
1863.

ADDRESS.

My Friends,

Understanding that it is usual for those who preside at your meetings on Saturday evenings to address to you some remarks, I have thought I could not choose a more fit subject than that, which is at present perhaps more than any other upon the minds of Englishmen, I mean the distress of our fellow-countrymen in the cotton districts, together with the topics which it naturally suggests to the mind.

And first I shall present to you a rude, but I hope a tolerably accurate, outline of the facts.

The bulks of the cotton manufacture of this country is carried on in a region comprised within twenty-seven of those Poor Law Districts, which we term Unions. Their population is somewhat beyond two millions: and the rated value of that portion of their property which is subject to rates, is above five millions and a half.

Certain portions of the cotton manufacture are, however, carried on beyond the limits of this area: the most considerable of those outlying portions probably is in Glasgow; and others vary in amount down to the scattered factories such as that at Mold in our neighbourhood. The diminution of trade in these secondary districts, and the loss of weekly wages, must have been quite as great as in the main region, in proportion to the numbers usually employed. The distress would however generally be less severe in proportion, as the district may be less exclusively dependent on the cotton industry. Yet even in these places much has been suffered, and much has been done: at Mold, for example, where the owners of the mill now closed have, I believe, been most liberal in

giving assistance to their hands; and in Glasgow a single firm, that of Messrs. Finlay, has, I am informed, been supporting from its own funds its workpeople now unemployed, at a weekly charge representing twelve thousand pounds a year. Upon the whole, we shall probably not go far wrong in adding to the figures yielded us by the great Lancashire and Cheshire, but mainly Lancashire, district, one-tenth for the outlying districts, so far as contraction of trade and loss of wages are concerned, and from one-tenth to one-twentieth, so far as regards actual want, and the necessity for continual or special aid.

The number of persons employed in the cotton manufacture of the whole country appears to be little, if at all, short of four hundred thousand. Of these one-half, equal to four-eighths, or two hundred thousand, are at present wholly unemployed. Three-eighths, or thereabouts, are on short time, employed, that is to say, on less than six days in the week. Less than one-eighth, less than fifty thousand out of four hundred thousand, appear to be fully employed.

The loss of weekly wages for this population is about £150,000, or at the rate of nearly eight millions a year. When to this we add by estimate the loss of wages in trades, directly subsidiary to the cotton manufacture, and dependent on its extent, the loss of rent to the owners of houses and cottages, the loss of profit to the capitalist, and to the classes of tradesmen directly concerned in supplying the workpeople with the commodities they consume, if I say we take these items into account without pursuing the remoter branches of the question, it is I think impossible to place the loss to the country at less than twelve millions a year, and it is probably a good deal more.

But, even at this moderate estimate, such a loss tells in a sensible degree on the revenue of the State. Upon the average, it may be roughly stated that each man in this country contributes towards the public revenue about one-eighth part of his income. The best paid of the working classes are large consumers of commodities charged with duty: and as these commodities are the comforts, or what may in a qualified sense be termed the luxuries of the working man, and not the necessaries of his life, it is upon them that the loss of wages first and principally falls: though the void is to some small extent filled up by his living for a time on his savings, and on the proceeds of articles which

he can turn into money. Upon the whole, I think that the present annual rate of loss to the revenue, in consequence of the cotton famine, is a million and a half, or thereabouts: and that the actual loss for the current financial year, during which the distress has been growing up to what, as we fondly trust, is its maximum, will be more than a million: that is to say, that on the 31st of March next, when our accounts are made up, the Exchequer will be poorer by over a million of money, than but for the cotton famine, it would have been.

I have spoken of the numbers out of employment: but of course, the numbers in want of aid are considerably greater. Some of the workers are members of families where the father, or some other member or members of the family, have other sources of employment or of support. But, against any deduction on this account, a much larger addition is to be made, on account of those persons belonging to the families of the work-people themselves, by whom no wages are earned: the very young, the old, the infirm, and those who find their employment in the cares of the household.

Accordingly we find that in the district of the twenty-seven Unions, the number of persons receiving out-door Poor Law Relief is about 250,000, and the number who without receiving any Poor Law Relief, receive relief from Charitable Funds is 190,000; together, 440,000. To this number additions are to be made on two accounts:

First. For work-people supported, while out of work, in various cases, with a noble munificence, by their employers themselves;

Second. For the outlying districts;

and, taking these additions into view, I think we must place the total of persons thrown into destitution by the cotton famine, in round numbers, at half a million.

So much for the numbers of the distressed.

Now let us consider what has been, and is being, done for them.

When, in the summer and early autumn, every week added rapidly and largely to the number of mills in part or entirely closed, and want came to be largely and severely felt, there were two, or indeed three, temporary obstacles which may have unduly kept down the measure of relief. One was the difficulty of organizing, at short notice, a machinery

equal to the work of regularly supplying the sudden demand of thousands and tens of thousands, without, at the same time incurring enormous waste, and giving direct encouragement to fraud.

The second was the noble independence of the people themselves, who were unwilling either to cast themselves upon charity, or to exercise that right of resort to the Poor Law which, although it is a right, is nevertheless, for the able-bodied man an extreme one, and one never to be exercised without pain to a manly and well-constituted mind.

The third was an excusable timidity, which seems here and there to have affected the administrators of relief: Boards of Guardians not always learning in a moment that an extraordinary calamity required an unusual freedom in the measures for meeting it, and some managers of charitable funds, alarmed at comparing the amount of voluntary subscriptions, as it then stood, with the demands of the coming winter, and not yet having faith enough in the ability and will of the nation to administer by spontaneous bounty to this great distress.

All this was to be expected, and cannot be blamed. But from such causes, the pressure of suffering was, it may be feared, in some places sharpened for a time: and a lady, blessed with large means, and more richly blessed in a disposition to use them largely, I mean Miss Burdett Coutts, having forwarded a munificent contribution, wisely expressed her wish, that the whole of it might be laid out at once. We must all, at all times, meet the real and essential wants of the present, before reserving anything for the future. At that time, of which I now speak, in one most distressed Union, the rate of weekly relief was not in all, I believe, more than about thirteen pence a-head, per man, woman, and child taken together. All this has steadily improved. Intelligent benevolence, most of all in the district itself, has supplied both the machinery and the means. The average rate of out-door Poor Law Relief, which was before the distress 1s. 2½d. per head, per week, is now nearly 1s. 6d. The funds of the Poor Law are expended, in the Lancashire and Cheshire district, at a weekly rate equal to more than a million per annum; or about five shillings in the pound on the rateable property, after deducting that portion of it, from which, in the present circumstances, rates cannot be collected. "The total weekly expenditure by Guardians

and by Committees of Charity in the twenty-seven Unions is £43,547,"* and this sum yields to each receiver of relief, on an average, within a fraction of two shillings per head. In addition to this, the Executive Committee has distributed 4,734 Bales of clothing, each bale on an average equal to one cubic yard: nor are we to forget that besides this great river of bounty, many little streams are also flowing through private channels, and each and all of them bearing consolation with them as they flow. Now, looking to this amount of two shillings a-head, aided a little in many cases with supplies in kind, I, for one, think as follows. Though, for the sake of our noble-minded fellow-countrymen, we might all wish it were much more, yet looking to the nature of the case, and to the absolute necessity, for the permanent welfare of the whole community, of preserving something of a due relation between the state of the independent labourer and that of the receiver of relief, the present rate ought to be regarded as sufficient and satisfactory. And we have the pleasure of hearing, from the report of Mr. Farnall, a most able gentleman, appointed by Mr. Villiers to act in the district on behalf of the Poor Law Board, that "neither he himself, nor the Executive Committee, have received any complaints from the poor of insufficiency of relief or charitable aid."

So much for the amount of the relief: the prospect is certainly no worse as to its duration. In the first place there is some small reason to hope, that the high-water mark, so to call it, of the distress may have been reached. At any rate, so far as the receivers of aid from the Poor Law are concerned, there was in the week ending December 6th, a diminution in their numbers of more than two thousand; and this was followed, in the week ending December 13th, the latest period up to which I have obtained accounts, by a further diminution, amounting to 3,443.

As respects the Poor Law, Parliament has wisely given to the distressed Parishes and Unions three auxiliary powers, which come successively into action as the burden of the rates may increase; 1—the power to the Parish, when its rates reach a certain point, of obtaining aid from the Union: 2—the power to the Union of borrowing money to a limited extent on the security of future rates: 3—the power of calling in aid the whole rateable property of the county.

* From information supplied by Mr. Farnall.

On the other hand, as regards the Charitable Funds, nothing but a little time, and the admirable means of publicity supplied by the newspaper press, have been required. The Charitable Committees in the different neighbourhoods are spending £25,000 per week; but the Executive Committee at the centre was receiving, from the 6th to the 20th of this month, which is the latest information I have been able to obtain, above £7,000 a day. Speaking of public and general subscriptions, and of the district of the twenty-seven Unions, it would appear that they amount at this time to more than £1,200,000; we may safely assume (but this is a mere opinion) that the machinery now in operation will raise this sum to £1,500,000; whereas the sum hitherto expended must fall short of one-half the amount actually raised, so that we may look forward with cheerfulness, in the absence of any new and great calamity, to the remainder of the winter. It seems to be the opinion of the best informed, that, under the operation of the Providential laws, which regulate supply and demand both for materials and for manufactures, there will probably exist in the month of March a state of things which will bring about a small but stable revival of trade and employment. Should the dreadful and sanguinary war, which desolates America, and throws the surplus of its curses upon Europe, be brought to a close, a further great and early relief might be expected; but in any case the benevolent administrators of the public bounty will, it may be trusted, meet the Spring with some considerable remainder of funds in their hands. A remainder, however, which may be less, and under no circumstances is likely to be more, than must be required in order partially to repair the consequences of this wide-spread and long continued desolation.

And now, my friends, I have done with figures. Let us think a little of the meaning, of which in this case figures are so full.

The first thoughts, which they carry to the mind, are sad and painful enough. We see the silent inroads of sorrow into many a happy home; care gathering on the brow; the sickness of hope deferred; the gradual exhaustion of the store laid up by the double-action of honest toil and intelligent forethought; the disappearance, one by one, of the comforts that make home seem like home; the withholding of what is needful, first from the strong, and afterwards from the weakly and the sick; the mother nursing her baby at

her breast while hunger is impoverishing her own blood: all the painful stages of that crushing process, which carries a population, step by step, from abundance into want.

But there is a brighter side to the picture. Nothing is more ennobling to man, in whatever rank, than sorrow nobly borne. And if ever there was a sorrow nobly borne, surely this is one. Aye more; for in general we think it much to see one here and there, one out of several, bear his afflictions well, but here is affliction well and manfully endured by thousands, by masses of men, of men and women, of young and old. No murmuring against the dispensations of God; no complaining against men; no envious comparison of their case with the case of their employers; no discontent with the Government or with the Laws; an universal and unbroken reverence for public order; under a homely or even a rough exterior, a true delicacy, a true loftiness of sentiment; an unwillingness to be burdensome, a willingness to suffer patiently, a willingness to turn suffering to account in more frequent and more crowded resort to divine worship, and to make an enforced leisure profitable, by going back to the discipline of boyhood, and gaining once more the first elements of forgotten knowledge: all these things present a noble picture, instructive to us all. A picture which may leave us better, if we lay to heart its lessons, or may leave us worse if, with the eye of indifference, we turn away from them; but which can hardly, after we have seen it, leave us as we were. A picture intended for us all to look upon, and all to learn from; for if cotton has done this for the men of Lancashire, cotton is but the instrument in the hand of God, and He can find some other instrument with which to do it for us, when He sees that we need the lesson and can profit by it. A picture, let me add, such as I know not what country or what class has presented or would present, except this class in this country of ours, were the like weight and sweep of calamity to descend upon it.

One thing we have, however, especially to wish for our suffering fellow-countrymen: it is that as they have thus bravely begun and continued, so they may persevere unto the end. They may have new forms of trial before them, one in particular. They have passed from the condition of high paid labourers, to that of receivers of relief; and this they have done with no diminution, but with an increase of

respect and honour. They will, we hope, pass back again, and may it be soon, from the condition of receivers of relief to that of high paid labourers. But this they cannot do at once. A state of things is pretty certain to arrive, in which the range of prices, on which wages must depend, will be such as to enable their employers, or such of their employers as only bend and do not break beneath the storm, to offer low wages; but not such as to enable them to offer high ones.

"Now when that period arrives, the employers will, on their side, have every motive to resume work as soon as possible. The markets for goods will have been effectually relieved, if not swept clean, by the long suspension; there will be the desire to obtain some profit, however small, upon fixed capital lying dead; there will also be the desire (I speak now of economical considerations only,) to lighten the pressure of poor's rates, and to obtain rents for cottages. At the first moment then, when they can, we may reckon that very many employers will be anxious to get to work with the prospect of very reduced profits: but reduction of profits will not enable them to attempt it, unless, for the time, wages be reduced also."*

To accept these low wages, to commence again the workman's career on a reduced and contracted footing, will be a new form of trial, and of sharp trial to the population at present unemployed: may they meet it as duty and not as pride would prompt them, and may it be their last.

Now let us look away from the actual sufferers themselves, to the immense amount of Christian charity, of true brotherly love, that this visitation has been the means of creating and calling into action.

In the mere amount of the private subscriptions, I do not know that there is much to boast of. A country with an aggregate income, in the three kingdoms, of between five and six hundred millions a year, with an income subject to income tax, and thus representing in the main the upper and middle class, of between two and three hundred millions a year, ought not to think much of raising a million or two by subscription, of course I mean without starving the other and ordinary calls of benevolence, to meet a great and an extraordinary distress. But, were we able to examine what I may call the anatomy of this subscription, we should find that

* The passage within inverted commas has been added since the delivery of the address.

it is composed of various elements, that in its great sum total is contained many a widow's mite, many a noble offering, for which only strict self-denial could have supplied the means, which has proceeded from a large heart, and which has made that heart, in and by the act of sacrifice, larger still. And again, in all true giving, there is something better than the gift. How many a conscience may this calamity have awakened to see the duty and the privilege of ministering to the wants of others! How many an ice-bound spirit may, for the first time, have begun to melt in this great furnace of affliction! Think above all of those who have been called upon to give, not their money only, nor their prayers only, but their personal service, their toil by day, their thoughts by night upon a wakeful pillow, studying how to encounter the sorrow and the suffering which they have seen rising like a deluge everywhere around them, and threatening to overwhelm them: such there are, and they may be counted by the hundred or the thousand; they will earn, perhaps, neither gold nor praise, but greater than these is their reward.

There are, however, some parts of this subscription, that require a word of notice. Lancashire and Cheshire, besides bearing the legal burden upon rateable property, will be found, I apprehend, to have contributed, in various forms, considerably over half-a-million. It is yet more gratifying to see how our fellow-subjects, in the remote dominions of the Crown, especially, I think, from some of the Australian Colonies, have sent munificent gifts to our labourers in their want. They have shown that the spaces which separate us, however widely, on the surface of the earth, cannot effectually divide hearts that are knit together. There are many gifts that would well deserve notice, if time permitted. Two I cannot pass over. It is most of all to be remembered by us with gratitude, that France, herself suffering under a similar, though less widely extended visitation, and America, in this her agony of mortal conflict, have generously aided the funds for the relief of Lancashire distress. Surely, my friends, when we see these things, we may presume to hope that there is not quite so much of wrath, malice, and hatred, between nation and nation, as we are sometimes tempted to suppose.

Within the last fifteen years, three great calamities of an extraordinary description have befallen the British Empire:

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the first was the Irish Famine; the second was the Indian Mutiny; the third is the Lancashire Distress. The first of these has led to an immense improvement in the state of Ireland, especially in the condition of the mass of the people. The second, by the changes of which it has been the occasion, has left British India with brighter prospects than it had ever before enjoyed. May we not hope that the third also will come to be remembered in future times, not for its inflictions only during its passage, but for the good it will have left behind it; for both the good it will have revealed, and the good it will have done? This question opens a wide field. I will not speculate on the subject of our future supply of cotton, which is to me at present an obscure one. But I will say a few words upon matters connected with our internal economy as a people.

First and foremost, I think there is no doubt that this vast calamity will tend to unite together in closer harmony, union, and affection, all classes of the nation. Our laws and established order, which have stood such a strain, and stood it so well, will be more than ever valued. Persons of rank and wealth, devoting their time and care to this work of relief, are by all such acts binding together effectually the hearts of men. The zeal and devotion of the clergy have, I believe, been beyond all praise; and the support and consolation they have administered, beyond all price. I speak of what I happen to know best; but I do not doubt that like testimony can be rendered by others to the labours of other ministers of religion. The admirable conduct of the suffering workpeople cannot be sufficiently acknowledged by any passing tribute of mere words: it must surely tend to increase the confidence reposed in them by other classes of society; nor can I refrain from repeating here, what I have said elsewhere, and expressing my hope that, whenever again the time arrives for considering the question of the franchise, that conduct will be favourably and liberally remembered. But they, like all of us, have lessons to learn. One lesson, which I hope they will learn and learn largely, is the duty and value of forethought, and the necessity of laying by, when they can, out of their resources, for the evil day. I do not think that the better paid portion of the labouring class of this country have as yet sufficiently perceived how much a wise forethought, exhibited in savings, contributes not only to their comfort, but to their influence and to their independ-

ence. Lancashire has been in this respect a-head of some parts of the country; but I hope I do not presume too much in giving an opinion that even Lancashire was not where she ought to be. For those who prefer to choose an independent investment of their money, this country offers a greater freedom and choice of such investments than any other in the world. For those who act chiefly under the advice of friends, employers, and superiors, the old Savings' Banks have long afforded a well-known and most extensively useful depository, to receive what they can spare. For those who desire to have the most direct assurance that the State can give them of the absolute safety of their earnings, and who also wish, as many Englishmen in all classes do wish, to keep the knowledge of their affairs as much as possible to themselves, the Legislature has provided the Post-office Savings' Banks; and the public has already shown that it attaches a great value to these recent institutions. It is true that the local Postmaster, himself bound to secresy, knows the deposits he receives: but so does the rich man's Banker, and the Postmaster so far acts as Banker for the classes on whose behalf these Banks have been established. I feel the more anxious to recommend earnestly the habit of forethought, because it appears to me, so far as I can learn, that the savings of the labouring class of the community, during the last twenty years, have scarcely, or up to a very recent time had scarcely, increased in proportion to the increased means of saving afforded them by their improved wages.

Again, I believe, that all those who pass together as companions through this period of suffering, will, among other advantages learn from it an increased respect for one another. The growth of this sentiment has been happily observable, as far as I can learn, in late years. It is the right of the labouring man to get the best price he can for his labour. The State has long ago ceased to impose any restrictions on the exercise of that right. Each man is entitled to judge for himself, at what price he will sell his labour. Any number of persons, being independent, may, if they please, combine together to withhold their labour from the market at any price less than that they choose to set upon it. But they can have no right to deny to others what they claim for themselves: they who think fit to sell labour dearer, can have no right to interfere with others that are disposed to sell it cheaper, any more than a butcher who sells meat in

his shop at eight-pence, has a right to interfere with another who intends to sell at seven-pence half-penny. The free acknowledgement in every form, by each man, of the rights of every other man, lies at the very heart and root of what we term civilisation.

Now let us consider, my friends, for a while, before we close, what civilisation is, of which we hear so much.

When we speak of civilisation, we do not mean the command of man over matter, or his achievements in the world of speculation. We do not mean railways, or telegraphs, or machinery in any of its wonderful developments, or cheap postage, or a cheap and free press, or traversing the ocean with voyages so quick, safe, and punctual, that they seem to serve the purpose of a bridge, or that marvellous art which enables us to purchase lively portraits of our family and friends for a few shillings or even a few pence. We do not mean ingenuity and beauty in design, cheapness and convenience and durability in production. We do not mean splendid edifices, noble statuary or paintings, or success in embodying what is beautiful, that great ornament and delight of life, in all or any of the branches of fine art. We do not in a word mean industrial, commercial, or material progress, even if of the very best kind, and if carried to the very highest degree that it has been or shall be given to man to reach. All these, in their several degrees, are among the tokens of some stage of civilisation already reached; they are the fruit which as a good healthy tree it bears; they are helps, also, towards its further advancement. But they are not civilisation itself. Civilisation resides in man himself, and nowhere else. It lies in the strengthening of his faculties, it lies yet more in clearing and raising his convictions, it lies in the refinement of his tastes, it lies most of all in the improvement of the practical habits of his life. If you show me two mechanics: if one of them is gifted with abilities in his trade which make him, during one part of the week, the envy of his fellow-workmen and the wonder of his employer, but is also cursed with a vice which, for the rest of the week, yields up his body and soul to the brutal influence of drink, and makes his home the scene not of comfort but of desolation: the other is a fair average workman, capable of no high excellence with his hands, earning daily perhaps but half the wages of his abler comrade, but yet constantly set upon turning to the best account the moderate or slender gifts with which alone the Almighty has

endowed him, keeping his heart humble and his body temperate, ever studying to be more and more truthful towards his God, more and more helpful towards his family, ever anxious to make them also, by precept if he can, and at any rate by the safe authority of his example, orderly, diligent, modest, and affectionate, with a good conscience before God and man: which I ask of these two is the man really civilised? The first, with his great powers, is like a slave chained to the wheel of civilisation, compelled to help it forward with his hands, but forbidden, by his own obstinate and ruinous infirmity, to partake of its refreshing influences: he serves at a banquet of which he cannot partake: he is like a torch of flaming pine, which is a light to others, but devours itself. But in the humble home of his, perhaps despised, companion, cleanliness and order reign; husband and wife, parents and children, grow in mutual love from day to day; every good disposition of each member of the family finds a stay and bulwark, and every besetting weakness a rebuke, in the right conduct and discipline of the rest: all of them learn, by respecting others, to respect also the handiwork of God in themselves: good times are not dishonoured by excess, and bad times are cheered partly by the produce of forethought in the good, partly also, and always effectually, by the knowledge that we are not chastened without a purpose, and that chastening is but the quickening of the fire for better tempering the metal of the man. Leisure, such as he may have beyond necessary rest, is applied by such a man to purify the soul, and to elevate the mind; with the outward freedom secured to him by the laws, corresponds a yet nobler inward freedom from degrading tendencies. In the house of that man, though it be floored with clay and roofed with straw, the work of civilisation is advancing; and he and his family are entitled to their place among both its promoters and its products.

If then, my friends, you ask me where civilisation resides, I reply it is in man, and in man only; but in all ranks of men, and sometimes more truly in the lowliest cottage than in the mansions of wealthier persons. If you ask me in what it consists, I reply that, apart from religion, its constituent parts are many, are more than could easily be reckoned; yet some of them may be named, and such are these: the love of order in things mental and bodily, personal and domestic; the love of cleanliness; the love of the works of Nature; the love of things beautiful produced by

the art of man; the love of courtesy and kindly manners; the love of knowledge, and the sense that it guides us upwards; the love of our neighbours of every class; a respect for these rights as fully equal to our own, and a respect, not for their rights only, but for their feelings, showing itself in small things fully as much as in great; the love of law, love of freedom, love of country, love of the throne and of Her who sits upon it, and who is happily to us both the highest image of every social and civil blessing, and the first among all human agents in procuring and assuring them.

Now, my friends, civilisation thus regarded, means a great blessing, or rather it means an aggregate or collection of great blessings. But they are not blessings for which we are to wait with folded arms: they are not blessings like the heat and the rain from heaven, or like those minerals beneath the surface of the earth, which have contributed so largely towards making our country rich and strong: they are gifts of Providence indeed, but they belong to that class of the gifts of Providence, which are given to us through our own exertions, which it is in our power to attain, and which it is our own fault if we fail to possess.

And again, not only are they blessings dependent on the agency of man to gain, or on his neglect to lose, but likewise they are blessings, and the work of civilisation is a work, in the promotion of which we all, of all classes, have our share. No station, however high, releases from the obligation; no station, however humble, excludes from the pleasure and the privilege. Those who travel from land to land will know that nothing is more readily observable than the difference between the masses of the people in one country and another, as to the degree of civilisation which the individuals composing them have personally attained. Just as the national wealth is the sum total of the fruits of all the labour, skill, and intellect applied to production, and as the hodman at two shillings or half-a-crown a day contributes to it no less really than the man of property who founds an ironwork, or the engineer who projects and executes a railway, or the capitalist who regulates the exchanges of the world, so, as respects this higher treasure, it is a treasure made up of the joint efforts of the whole community, and every one of us is responsible for promoting in his measure and degree the work of civilisation.

Moreover we live in times when the distribution of the shares of this work is gradually and sensibly altering. A thousand years ago, in the days of our English Alfred, or of the yet greater and more famous Charlemagne, the will of one man went far towards guiding the conduct and determining the destiny of all. Sometimes it would even happen that nations or tribes were brought to baptism in masses, and placed, by baptism, within all the civilising and reforming influences of the Christian Faith and Church. A great French writer, Montesquieu, observes that, in the infancy of political society, the prominent men make and mould the nation, but in the maturity of it, the nation makes and moulds the prominent men. If this was true in his day, it is more largely true in ours; for more has been done within the last two or three generations towards establishing popular rights on a secure basis, towards providing for their progressive extension, and towards allotting a real share in the management of public affairs, to the different members of the community at large, than had been done for many centuries before. In concurrence with this natural and beneficial change, it is highly needful that the members of classes formerly excluded from social power, but now coming to a share in its possession, should recollect that society has much higher and more extended claims upon them, than it had before. Where, unhappily, slavery prevails, it comes to be thought of little consequence, so as the labourer performs a certain amount of work, whether in other respects he lives the life of a man, or of a beast. But in proportion, as we get farther and farther from slavery, as the personal rights of each individual are more and more jealously guarded by the laws, and as he himself is, by liberal institutions, provided with an influence in the making of those laws by which he is to be governed, society is more and more entitled to expect from him, along with such mental cultivation as he may be able to attain, an enlightened conscience, a cheerful and steady deference to lawful authority, an, honourable sense of independence, an unwillingness to become a burden upon others, a clearer view and a fuller performance of his duties as a husband, a father, a neighbour, a parishioner, a juryman, a voter at elections, or whatever else he may be.

And all this is no light matter. Human life, rationally viewed, is a serious and earnest thing. When the image of

our duty is placed before us, we are sometimes afraid of it, and are tempted to run away from it. It is not to any one class of society, believe me, that the feeling is confined which makes us think the day no more than sufficient for the burdens laid upon it. That which is felt variously among other classes in other forms, is felt, and very naturally felt, by the labouring classes in its simplest form. When they rise in the morning, labour faces them; and when the day closes in, weariness following upon toil, has exhausted and depressed them. Yet your presence here, my friends, to night, shews that this, though it may be true, is not the whole truth. When there is a brave and gallant spirit in a man, it commonly, and in the absence of extraordinary trials, manages to save something of time, of thought, of energy, from the urgent demands of his outer life and his bodily wants. There is the blessed rest of Sunday, a standing and a speaking witness to the everlasting truth that man shall not live by bread alone; and, on every day, the careful gathering of even small fragments of time, some of which well-nigh every man, woman, and child, has it in his power to gather, will, so it be but steadily and constantly attended to, and made part of the constant habit of our lives, produce in the end not only considerable but even surprising results.

Yet, after all, it must not for a moment be forgotten that the one central and effectual element, and the only guarantee, of our civilisation, present and future, is to be found in Christianity. Individual men, living in a Christian land, perhaps not having been roused to a lively interest in Christianity themselves, and seeing no direct connection between the gospel and many useful discoveries and prosperous industries, may think they can fashion a civilisation for themselves out of the materials which earth affords, and without the trouble of taking into view our relations to the world unseen, and to Him who rules in it. Far be it from me to bring a railing accusation against them: but I think they are mistaken: this world is God's world by right, and ours only by gift and sufferance, and it cannot go well, if we try to shut Him out of it.

But in truth, what we have most to fear is not the prevalence of error of this kind, taking the form of philosophy and of system; it is our own faithlessness, our own selfishness, our own worldliness, ever drawing us downward in

despite of convictions, which grow weaker and weaker by neglect, and which are at length wholly stifled by the thorns and briars of evil habit, growing up into a tangled thicket around and over them. It is not erroneous belief that is the cause of wide spread ruin, it is the fear of discipline, it is the pressure of cares, desires, and appetites, which shut out from the mind of the creature the thought of the Creator. Many of us have heard read at this solemn season in the services of the Church the account of the birth of our Lord at Bethlehem. In that account we are told by the Evangelist these simple words; "and there was no room for them in the inn." What thoughts do these words awaken in the mind? Perhaps the first thought may be this: no wonder that, in so great a concourse of people of all ranks coming up to be registered for taxing, there should be no room in an inn, for the poor and unpretending Mother of the Saviour to be delivered of her first-born Child. But the second thought may be, that the world is like that inn: that amidst its pomp and magnificence, amidst the whirl and hurry of its business, amidst the ever multiplying devices of its ingenuity and triumphs of its enterprise, amidst the crowd and pressure of even its neediest inhabitants, there is no room for the Saviour of mankind. But upon this thought yet another thought may follow: the thought that if that inn, in respect of its bustle and its turmoil, is like the world at large, it is yet more like something else: it is a yet truer image of the heart and mind of the individual man, when, giving himself over without reserve, whether to his vicious indulgences, or to his selfish enjoyments, or to his schemes of advancement in the world, or to his ordinary business, or even to his most pressing necessities, he fills himself so full with all or any of these, that there is no room in him for the thought that his food and raiment, his gifts and faculties, his hopes and prospects, all he is and all he can ever be, come down to him from the Most High, and are to be rendered up again to Him from whom they came, in thanks and praise, and in dutiful obedience.

And now, my friends, having detained you thus long, I release you from your kind attention, to enjoy, as I hope, the entertainments of the evening.

HUGH ROBERTS, PRINTER, CHESTER.

SPEECHES AND ADDRESSES

DELIVERED AT THE

ELECTION OF 1865.

From the Author.

"He'll shape his old course in a country new."—
KING LEAR.

LONDON:
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1865.

CONTENTS.

APPENDIX.

SPEECHES.

SPEECH AT MANCHESTER ON JULY 18th.

THE CHANCELLOR OF THE EXCHEQUER said: Mr. Bazley and Gentlemen,—At last, my friends, I am come amongst you. And I am come—to use an expression which has of late become very famous, and which, if I judge the matter rightly, is not likely soon to be forgotten—I am come among you "unmuzzled." After a long and anxious struggle of eighteen years, during which the unbounded devotion and indulgence of my friends maintained me in the arduous position of a representative of the University of Oxford, I have been driven from that seat. I have no complaint to make of the party which has refused to me the resumption of that high and honourable trust. I cannot say that I am glad of it, or that I think they have acted wisely; but they are the majority, they were entitled to use their power, and they have used it. And as they have used it, I appeal to you, the men of my native county, to know whether that which has disqualified me from representing the University of Oxford has also disabled me from representing you. But, gentlemen, do not let me come among you under false colours, or with false pretences. I have loved the University of Oxford with a deep and passionate love; and so I shall love it to the end. If my affection is of the smallest advantage to that great, that ancient, that noble institution, that advantage, such as it is, and it is most insignificant, Oxford will possess as long as I live. But we must not mistake the issue which has been raised. The University has at length, after eighteen years of self-denial, been drawn by what I might perhaps call an overweening exercise of power into the vortex of mere party politics. Well, you will readily understand why, as long as I had even the faintest hope that the zeal and kindness of my friends might keep me in my place, it was impossible for me to abandon them. Could they have returned me by a majority of one, painful as it is to a man at my time of life, and one feeling the weight of public cares, to be incessantly struggling for his seat, nothing would have induced me to quit that University, to which I had so long ago devoted my best care, and my misjudging, perhaps, but yet loyal attachment. But now,

I am free to come among you. And, having been thus set free, I need hardly tell you that it is with joy, with thankfulness, and with enthusiasm that I now, at the eleventh hour, a candidate without even an Address, make my appeal to the heart and the mind of South Lancashire, and ask you to pronounce on that appeal.

Mr. Bazley and gentlemen, as I have said, I am aware of no cause for the votes which have given a majority against me in the University of Oxford, except this fact, that the strongest convictions which the human mind is capable of receiving, that an overpowering sense of the public interests, that the practical teaching of experience, to which from my first youth Oxford herself taught me to lay open my mind; that one and all of these have shown me the folly, and, I will say, the madness, of refusing to join in the generous sympathies of my countrymen, by adopting what I must call an obstructive policy. Now, when I speak of an obstructive policy, I necessarily speak in some degree of those by whom it is conducted. But, do not let me be misunderstood. I have known, certainly, as I think, in happier times—in times when Sir R. Peel was the leader and head of the Conservative party—that the materials of which it was composed included then, as I firmly believe that there are now in the ranks of that party, not only many excellent and many able, but many enlightened, men—many men who, if their circumstances and position were more propitious, would be ready to concur and co-operate in every work of public improvement. You may find them below the gangway of the House of Commons; you may find them, though perhaps more sparsely scattered, even on the benches behind the principal Opposition bench; you may find them on the Opposition bench itself. It would be invidious were I to name them. In some of them this county has a deep and affectionate interest; and Lancashire, without distinction of party, looks upon men, or upon a man, as her own, who still sits upon that bench. But I speak of the machinery of the party; I speak of those who lead, and of those who pull the wires; I speak of the daily, ordinary, habitual action of our parliamentary system; and I tell you, and wish to place this issue distinctly before you, that it is because I have been unable to concur in that system which marks and fixes definitively the general character of the present parliamentary Opposition, that I now come before you to ask, and with joyful trust I await the answer, whether you approve or whether you condemn my conduct.

Gentlemen, I am in one sense glad, in another sense sorry, to say, that my own experience of public life extends over three-and-thirty years, and those three-and-thirty years perhaps among the most remarkable, and the most momentous, so far as the triumphs, not of merely defensive, but of peaceful and progressive legislation, have been concerned, that ever have been known in the history of this country: possibly I might even say, in the history of any country

in the world. What have been the characteristics of that legislation, and what have been its results? Some of you are old enough to remember the ministerial reign of Lord Sidmouth as Secretary of State for the Home Department, and to recollect what was the spirit of Manchester—the spirit of her upper class, of her middle class, and of the masses of her population, in those unhappy days. Now, on the contrary, we have lived into a time when every man that represents public authority, every man who bears office under the Crown, may come among you, and may be sure that he will be received in every thoroughfare of your vast and crowded community, not merely with respect and with kindness, but even, it is not too much to say, with affection and enthusiasm. And how has this change come about? It has come about because a conviction has been gradually, slowly, but firmly engendered in the English mind, that, after granting every fair allowance for the defects of human institutions, and by no means renouncing the hope of making by wise measures that which is now good to become better still, but subject to these reserves, and looking back upon the past, you live under institutions in which the legislature and the constituted authorities labour, in the main, for the good of the people, with honesty of purpose, and with an enlightened view. Now, without entering into details, without unrolling the long record of acts and stages connected with the great measures that have been passed, I will simply remind you that they comprise the emancipation of Roman Catholics, the improvement of the representation, the emancipation of the slaves, the reformation of the poor-law, the reformation—I had almost said the destruction, but it is the reformation—it is the destruction in point of bulk, but in no other sense—of the tariff, the abolition of the corn-law, the abolition of the navigation law, the conclusion of the Treaty of Commerce with France: and, to cut short a list threatening to be almost interminable, the laws which have relieved Dissenters from stigma and from almost ignominy, and which in doing so have not weakened but have strengthened that Church to which I humbly but gladly belong. All these great acts have been accomplished, taking them as a whole, with something that resembles the silent and majestic, I had almost said sublime, tranquillity with which your own vast machinery performs its appointed task, in the strength of perfect repose. All these things have been done; you see the acts, you see the fruits, and it is natural to inquire, who have been the doers? Well, gentlemen, in a very humble measure, but yet according to the degree and capacity of the powers that Providence has bestowed upon me, I have for many years been desirous, and increasingly with increasing age, not to obstruct, but to promote and assist, this beneficent and blessed process; and if I first entered Parliament, as I did enter it, with a firm and anxious wish to maintain the institutions of my country, I can

truly say that there is no period of my life during which my conscience is so clear, and renders to me so good an answer upon that very point, as for those years in which I am thought to have co-operated in the promotion of Liberal measures; with the conviction that not merely notwithstanding that they are Liberal, but, much more than this, because they are in the highest and best sense Liberal, they have been the true measures, and they have indicated the true policy, by which the country has been made strong and its institutions have been not only preserved but strengthened.

Now, so far as depends upon me, I want to ask and to learn the opinion of South Lancashire upon that subject. There is no district of the country, perhaps, that has known so much, there is none that is in such a good condition to give an answer, there is none that will be more deeply responsible for the answer that within these few days she may give. But, gentlemen, we have lived into a period that is indeed singular. The rules of my old university, and although perhaps I have slightly suffered by them I much revere them, forbid the active interference of candidates in academical elections. That state of things has been favourable to my acquiring, while the elections have been going on, a knowledge of what is done, and also a knowledge of what is said, in different parts of the country; and I don't know whether you have been struck, but I have been struck in a degree that I could hardly describe, with the marvellous character of what has been said in various portions of the land. You read the speeches of multitudes of candidates for seats in the interest of the Opposition, and you find that they found their claim to support upon their approval of the measures of the government. They very naturally say, and they always wind up with the conclusion, either tacit or expressed, that that government ought to be displaced. But really upon that subject I, for my own part, have no clear or strong opinion to give. We have been for six years in office. I do assure you that I want a holiday; and I think it is perfectly possible, and a very fair thing to argue, that the general spirit—what I may call the political health—of the body of the Liberal party would be improved if, during this fine summer, they were to travel, by way of watering-place, into the clear and pure air about the benches of the Opposition. Upon that matter, therefore, I do not address you. I do not believe Old England—or the United Kingdom, which we mean when we speak of England—will ever perish for want of men to give effect to her mature convictions. If one man is not forthcoming, another will be; there is pith enough, and virtue enough, and intelligence enough in the country to conduct its public affairs. Therefore I am not here, notwithstanding the distinguished claims of some among my colleagues, to preach to you the merits of any particular set of men. If you think it can be shown that those who sit opposite to us are better disposed, better

qualified to carry on the policy that is essential for the happiness of the country, by all means let them take our places. But it is for that policy that I speak; and certainly, unless I am required to efface from my mind altogether the recollection of what has passed within the last six years, and to read backwards every record of our parliamentary proceedings, I am astonished at the delightful unanimity with which the principal measures of the party now in office are applauded by the candidates who seek to supplant them.

Now, it is much better to fly at high game than at low; and therefore, instead of burrowing among the declarations of small agricultural or borough members here and there in holes and corners of the country, I will just illustrate what I have said upon a topic or two, by reference to the declarations of the great Coryphaeus of the Opposition: to those declarations with which Mr. Disraeli has kindly furnished us, with admirable candour, and in unexceptionable abundance, while addressing his Buckinghamshire constituents. It would appear that he has been terribly misrepresented or misunderstood. Do not let us suppose that in this country the public is well informed about the views and actions of its statesmen. I will give you a proof, in a conspicuous instance, that we know nothing at all about them. For Mr. Disraeli tells us it is a delusion to suppose that, if he had been in office, we should never have had a treaty with France: nay, he says, "a treaty with France was the very thing which it was the supreme object of our desires to accomplish." Now, Mr. Bazley, you are my witness, and others whom I am happy to see upon this platform are also my witnesses, that it would have been a mighty convenience to us all if Mr. Disraeli had been kind enough to communicate to the House of Commons, in the opening of the Session of 1860, those views with respect to the treaty of commerce with France which he has unfortunately reserved in the deep recesses of his mind until the dissolution of 1865. Why, what was the history of that treaty? Let us endeavour to analyse a little the representations which are placed before the country. No doubt Mr. Disraeli said, and others near him said, "We don't object in the abstract to treaties of commerce, but you have managed this thing so abominably ill, you have so entirely neglected to obtain what was required, and to preserve what was necessary for England, that, instead of approving, we condemn the whole affair." Mr. Disraeli says he would have had a treaty of commerce with France. I should have liked to have seen Mr. Disraeli negotiate that treaty face to face with the French negotiators, and to have noted what he would have said and done. I know what Mr. Cobden did. (Prolonged cheering, the audience rising.) Mr. Cobden presented himself to the Emperor of the French, without disguising for one moment the real nature of the transaction in which he was about to engage. Mr. Cobden never took up the ludicrous position of those who say to a foreign

country, "We deliberately withhold from ourselves what we admit to be a benefit to ourselves, unless you choose to confer another distinct and independent benefit upon yourselves." Mr. Cobden thoroughly well understood the nature of the business he had in hand. He stipulated for nothing on behalf of England; he persuaded the French government as far as he could. But what would have been the position of Mr. Disraeli? I do assure you, gentlemen, that when I, by a violent effort of imagination, represent to myself Mr. Disraeli standing in the presence of the French negotiators, my heart is overflowed with a gush and torrent of compassion. What would have been Mr. Disraeli's language? The French would have said to him what they said to us: "We want to give you a guarantee for peace. We want to promote manufactures in France. We are poor in one of the essential constituents of manufacture—we are poor in fuel; our manufacturers are desirous to come nearer to the British Channel, but they must be assured that no false superstitious notions concerning the export-trade will interfere with their supply of British coal. You must engage, at least for the moderate period for which this treaty is to last, not to prohibit or impede the export of coal." "Oh," Mr. Disraeli would have been obliged to say, "coal is a mineral that is exhaustible; and though it is perfectly true we consume seventy millions of it ourselves, and only send two or three millions of it abroad"—(that was the then state of things)—"yet at the same time, though we have never at all found it necessary to economise upon the seventy millions we consume, we are dreadfully afraid lest this two or three millions, or any increase it may receive, should deprive England of the essential commodity of coal; consequently we cannot put into the treaty any article assuring your supply of coal, and that you must be content to drop." Well, I think, for myself, that the French negotiator would have been very apt, under those circumstances, to take up his hat, to put on his gloves, and to say, "Sir, I wish you good morning." But suppose that he was a man of extraordinary patience; suppose he said, "Well, after all, my friend is evidently well disposed; this may be a single or particular crotchet; I will try him a little longer. This point perhaps may be disposed of by some subsequent understanding: we will see how we agree with regard to other matters." The French negotiator might then have said, "At any rate, you won't object to the free and immediate introduction into England of the chief manufacturing product of France; I mean of silk goods?" Ah! what would Mr. Disraeli have had to say upon that? Mr. Disraeli's friends have been profiting by the discontent of the silk trade. His friends have won two seats in Coventry from the Government, and from the Liberal party, in consequence of the discontent of the silk trade. And here let me tell you in passing, that, if there is one title more distinct than another that I think the party and the Government have to the approval of the

country, it is this, that, unfortunately for Coventry, and unfortunately for other places, we have lost seats which it would have been a discredit to us to gain, and the reason we have lost them is, that we refused to sacrifice the interests of the country to the supposed interests of a class. But then it must be recollected that the loss of the first seat at Coventry on the death of Mr. Ellice, and afterwards the loss of the second seat at Coventry on the death of Sir Joseph Paxton, were among the conclusive demonstrations that were naturally enough trumpeted to the world, and made to do duty as proofs of a great reaction in the country on behalf of the Opposition, and of the disinclination of the country at large to maintain the principles which had theretofore been in favour. Therefore Mr. Disraeli, if he had let in the silk goods, would, to use a homely phrase, have cut his own throat; and he would have been obliged to say to the French negotiator. "Free trade is a very excellent thing, but after all it must be applied with a good deal of reserve and a good deal of qualification and circumspection." And perhaps he would have spoken, as he spoke the other day on the Roman Catholic Oaths Bill, when he assumed the character of an intelligent and enlightened Roman Catholic, and, speaking in the character of such a Roman Catholic, stated that he did not think he should desire that Oaths Bill at all; so I have no doubt, with his inexhaustible ingenuity, he would have said, "I put myself in the condition of an enlightened free-trader, and I am quite certain that no enlightened free-trader, whatever his abstract opinions might be, could think of giving immediate and free admission into England to the silk goods of France." But, gentlemen, I do ask and entreat you to conceive in your minds, if you can, what chance Mr. Disraeli, with all his good intentions, would have had of negotiating a treaty of commerce. Why, he would have been obliged, at every step that he went, to reserve this and reserve that, not upon grounds of revenue, but upon grounds which, call them what you may, are grounds of protection sheer and pure: upon reasons which, so far as they show anything at all, show a supposed necessity of maintaining special taxes for the supposed benefit, for it is not the real benefit, of particular classes, but taxes levied upon the people of England. This I might illustrate not only by the article I began with, the article of coal: not only what I went on with, the article of silk: I might have various other chapters: for example, I might have a chapter upon paper. There is the export of rags; you know, all of you, without doubt, the terrible blunder that Mr. Cobden made in not stipulating for the free export of rags from France; that is to say, in not saying to the French Government, "We will refuse to conclude this treaty unless you remove your prohibition, and permit that free export;" because that is the meaning of the accusation, if it has a meaning. Again, besides the rags, there were the ships; heaven only knows how many blunders we did not commit about the ships. They were to go in, or

to come out, with equal duties, or unequal duties—I cannot tell now—thank God it has all passed away from my recollection; I have other things in plenty to remember. But I know this, that, although a French treaty in the abstract was the best thing in the world, the actual French treaty in flesh and blood, or in pen and ink and paper, seal and sealing wax, as it stood before them, was found to be the worst thing in the world; and to throw discredit upon the authors of that treaty, and to work every possible mine and vein of prejudice against them for the purpose of disparaging it, was the great and principal business of the Opposition party, considered as a party, in the somewhat memorable Session of 1860.

But, gentlemen, Mr. Disraeli likewise says, and I confess I was greatly interested in the statement, that, if his Government had continued in office, the paper duty would have been repealed. He proves it in a manner that I do not quite understand. The demonstration rests in part on the confessions of his opponents; but be the mode what it may, he proves it entirely to the satisfaction of his own mind, and to the satisfaction possibly of the farmers of Buckinghamshire; I know not whether to the satisfaction of the papermakers of that county. Well, I must say, if there ever was a commercial question second only to that of the corn-law, which was the source of the deepest anxiety, and which was encountered with the greatest difficulties through the persevering opposition of the party led by Mr. Disraeli, it was the repeal of the paper duty. And nothing can be more unfortunate than that it should have been his lot to testify his approval of the measure, at the time when that approval would have been of real value, only by condemning and resisting it. But now, I ask you, what has been the effect of that measure? I speak now not only of its economical, but of its political and its social effect. Economically it was the abolition of a mischievous, I might almost say a barbarous impost. Economically, when we repealed the paper duty, we were treading in the footsteps of those who had repealed the soap duty, the glass duty, the brick duty, and all other duties of excise upon manufactured articles. But, over and above the relief of industry from burthen and restraint, I ask you what has been the advantage of that repeal? Talk of Conservative measures! Never was there a measure so Conservative as that which called into vivid, energetic, permanent, and successful action the cheap press of this country. To the most numerous classes of the community it was like a new light, a new epoch in life, when they found that the information upon public affairs that had once been either the exclusive property of the higher, or the higher with the middle class, or else had been doled out to them through the rare and questionable medium of Sunday papers, came to them morning after morning, gave them a new

interest in the affairs of their country, and, with a new interest in those affairs, a new attachment to its institutions.

Now, I must not detain you too long, but, as I know that I am here in the very heart and centre of the best political economy of England, I will say one word upon another subject. Perhaps you will be surprised at my mentioning here the subject of the malt-tax; but you will find that in the speeches of many gentlemen connected with the Opposition there is a most cruel complaint in connexion with it, of a mischievous personage called the Chancellor of the Exchequer, as being a persecutor of what is still called the agricultural interest. And I beg leave to say, for myself, I know nothing at all about the agricultural "interest," any more than I know about the manufacturing interest or the commercial interest. There is one interest which it is our duty resolutely to place and steadily to keep in view, and that is the interest of the nation. Still, there are a certain number of gentlemen who seek to obtain favour with special classes by professing to legislate for the interests of class: and among those gentlemen it is the fashion to complain that with a cruel indifference we pass by the distresses of the farmer, who sells his barley now under the influence of free trade for better prices than monopoly ever gave him; who sees the consumption of beer growing year by year till it has almost reached the standard of the golden age; and these clamorous friends would contrive to persuade this farmer—but the farmer is getting far beyond the operation of such means of persuasion—that, if only they had been in power, they would have done something (as it is called) this year with respect to the malt-tax. Now, the first thing that I should presume to say to these gentlemen, and I think the only concession I should like to ask of them, would be this; that they assent to the principle that you cannot eat your cake and still have it. If they grant me this, I think I can promise in return to make mince-meat of the proposition that if they had been in power they would have done something for the farmer. Well, what did we do? We had a surplus, I am thankful to say, of four millions. Speaking in round numbers, out of that surplus two millions were given to the reduction of the tea duty; and few indeed are those, even among the class of candidates to whom I refer, that have ventured to go even before a farming constituency, and to say that that reduction of the tea duty ought to have been withheld. Now it is quite plain that the question lay between reducing the malt-tax and reducing the income-tax. Therefore, there were two millions available, in round numbers. That sum of two millions was sufficient for the favourite measure of Mr. Disraeli, the measure he proposed in 1852—I mean, for reducing the malt-tax by one half; and what I want to know is this—why these enthusiastic friends of the farmer, when we proposed to take the income-tax down from 6*d.* to 4*d.*, did not propose, instead of so lowering the income-tax, to leave the income [illegible] the [illegible]

moderate rate of 6*d.*, and to take off half the malt-tax? Why, the thing is transparent—there was not a man among them that did not want to have the income-tax reduced; and, on the other hand, I won't say there was not a man among them—because some I believe there are, but they were very few, elect and secluded spirits—not the leaders of the party, nor yet the rank and file, but one here and there, the true specimen of the pure old agricultural mind—these were the only individuals that cared about the malt-tax. And they cannot say that it was not pointed out to them, because in my place in the House of Commons, when these complaints were made of the Government by the Opposition, that we did not reduce the malt-tax, twice over I took the pains to point out, in the most distinct terms, how they might have reduced the malt-tax if they pleased. They had nothing to do but make that proposal which I have described:- namely, to leave the income-tax alone, and to take off the half of the malt-tax. There were several gentlemen on our side of the House, and gentlemen, too, of great weight and authority—I believe your excellent member (Mr. Bazley) was one of them—who thought that if we were to have an income-tax it might as well remain at 6*d.*; and of course he and they would have been compelled to vote with the friends of the farmer, if the friends of the farmer had proposed to leave the income-tax at that amounnt. Of this I had not a doubt: and, accordingly, I ventured twice, in the most distinct terms the English language can supply, to state across the table of the House of Commons, "Here is a distinct section of the Liberal party who are keenly attached to direct taxation, and who, if you will only for a moment pluck up your courage and just propose to take off one-half the malt-tax, instead of 2*d.* off the income-tax, will vote with you; you will be in a majority, we shall be in a minority, the farmers will be relieved, and the golden age will return." Now, Mr. Bazley and gentlemen, when I look at the course of the county elections, as far as they have yet gone, I am strongly impressed with the belief that the farmer himself, who is a very different being now from what he was when he was coaxed and cradled with monopoly —he is now a man—resting, as you in Lancashire rest, upon his own energies, his own intelligence;—I think that he is coming to have a very shrewd comprehension of these matters, and that something like the sceptical feeling which has taken possession of the 19th century in certain quarters, is gradually acquiring rather a strong hold over the British farmer,—with regard to the sincerity—I mean the political sincerity—of his friends about the repeal or reduction of the malt-tax.

Gentlemen, the true friends of the reduction of the malt-tax are the friends of public economy. It is only by a sedulous, jealous, faithful application, upon every opportunity as it presents itself, and I would that they were more frequent and effectual, of the principles of thrift to the administration of public money, that either the malt-

tax or other taxes can be reduced. True it is that the country is prosperous, that the revenue increases, but along with the increase of the revenue there increases something else, and that is the disposition to feed upon and to consume it. And I cannot, standing as I do before you now, refuse myself the use of this opportunity to repeat what I have often felt it my duty to urge upon the late House of Commons, that we are passing into the dangerous state of things in which the House of Commons, instead of being the jealous, vigilant, effectual controller of those proposals for expenditure, which it is the duty of the executive government to make, tends itself to become the promoter and the stimulator of public expenditure, forcing it upon the executive government in every form of question, of motion, of suggestion, and making it impossible for any government, and for any minister of finance, to stand that continual pressure, which, like the dropping of water, is at work by day and by night, and which has its causes lying deep in human nature, and ever actively tending to make invasions upon the public purse. But if I deeply lament this state of things, which I look upon—I am Conservative enough for that—as fraught not only with great practical mischief, but with great constitutional danger to the purity of the life of the House of Commons—I am bound in justice, sir, to you—in justice to others whom I see around you—in justice to those who are called the Liberal party, to say that it is hardly, as far as my memory enables me to form a computation, in one case in ten, that the pressure has proceeded from that quarter. Nor has it come, I am bound also in justice to say, from all gentlemen who sit opposite. One in particular there was to whom I willingly render a tribute—he has but lately passed away from us—I mean Sir Henry Willoughby, as true an economist and as faithful a guardian of the public purse, as pure an administrator of the great trust of Parliament with respect to public money, as ever sat upon the benches of the House of Commons. But, unfortunately, the great majority of those who have made it almost impossible to apply vigorously the principles of thrift and good husbandry to the expenditure of this country, are gentlemen who have sat upon the side of the House opposite to you, and to those by whom you are now surrounded. Most earnestly do I hope that in the new Parliament we shall witness a different state of things, and that the representatives of the people will, especially among the Opposition, resume their legitimate office of limiting and confining, not of promoting and enlarging, public expenditure.

But, Sir, however this may be, we have to consider of our future course: and I avow my opinion, that we cannot do better, if we want to arrive at a clear understanding of the terms upon which we propose to contract together, than recollect those old words announced five-and-thirty years ago, the words "Peace, Retrenchment, Refo "

And, if I add a fourth principle, and I think it ought to be added, it is the promotion of that civil and religious liberty which is perfectly consistent, at least in my heart I hope it is consistent, with a deep attachment to the Church of this nation; perfectly consistent, even with a fair and equitable regard to all her temporal institutions as an establishment. These are to be clearly distinguished from what belongs to her religious character as a church; yet they have a root, and a deep root, in the habits and in the attachment of the country, and they are not to be lightly tampered with. But I am for the policy which steadily refuses to seek either to extend that Church, or to defend it, by means of imposing disability, or of maintaining odious distinction against our Roman Catholic or Dissenting fellow-subjects. Now, here sits my hon. friend Mr. Hadfield, lately re-elected, after his faithful and active services, by the electors of Sheffield. Mr. Hadfield and I do not always find ourselves in the same lobby upon religious questions. I think Mr. Hadfield is a stout anti-State-churchman; and he is moreover a man who has the habit of saying what he thinks; in consequence we become well acquainted with his opinions—a great deal better acquainted with his opinions than we can contrive to be with those of many leading persons who are now addressing the constituencies. But I now look upon Mr. Hadfield with reference to those matters in which he endeavours to relieve his fellow-religionists from stigma or from inequality, and to place them upon a political and social level with the members of the Established Church; and I do not hesitate to say,—often, too, has he heard me say it while I represented the University of Oxford,—I believe no greater error can be committed by those who call and think themselves friends of the Church, but who are in reality least of all its friends, than to endeavour to maintain its preponderance, not by the free adhesion, not by the cordial love and admiration, of the people to whom it ministers, but by miserable legal contrivances that are available for no purpose whatever except that of placing some offensive badge on certain members of the community, and of taking security, as far as human folly can take it, that those members of the community shall be, from age to age, bitter enemies of that Church, which, I am thankful to say, notwithstanding all the devices of this short-sighted policy, is still the Church of the nation. Well, my hon. friend Mr. Hadfield has sent up a measure to the House of Lords—how many times, six? [Mr. Hadfield: "Six."] My memory is good, you see, in that case. He has laboriously brought into the world one of the most modest, inoffensive little infants you can conceive,—and he has done it six times over; nay, six times over he has overcome the difficulties of the nursing period. He has carried it through all its stages in the House of Commons, and when he thought it had arrived at an age when it ought to be sent to school—that is to

say, an age when he could with propriety present it at the door of the House of Lords—the unfortunate and unoffending infant has been ignominiously kicked back into his arms; and he has been told that the declaration he wants to remove is a thing of no value at all in itself, but a thing necessary and essential to maintain upon the statute-book as a testimony to the superiority, or the ascendency, of the Established Church. I most seriously deprecate this line of argument and of language. I hope my hon. friend will not be discouraged. I trust that a seventh time, if necessary, or an eighth time, he will go through the same pains and cares of paternity, and I feel confident that, at last, he will succeed in rearing the infant to full age and stature, and in bringing him out entire and vigorous into the world. And then, gentlemen, it is easy to tell you what will happen. That will happen which has happened with respect to the repeal of the corn-law, the repeal of the navigation law, the treaty of commerce with France, the abolition of the paper duty, and a hundred other measures; the same men who have obstructed my honourable friend, the same men who, in the days when they could resist him, have resisted him to the uttermost, will, when he has gained his object, claim credit for the very work that he has done, and will end by kidnapping the child which they at first attempted to smother.

Sir, I will not detain you long upon the subject of the parliamentary franchise; but that is a question upon which, if your patience be not yet wholly exhausted, I will offer a few words. I entirely agree with those who are of opinion that the question of the franchise cannot possibly be settled by any mere naked allegation of abstract rights. Yet I do not agree with those who say that there are no such things as abstract rights. I believe that they exist, and that they are deeply rooted in the relations of man, but I believe also that they are subject to modification from time and circumstance. Indeterminate in themselves, they take form from deliberation and public authority. The health and welfare of the community is the supreme law of legislation. But those who legislate cannot legislate justly and prudently, unless they endeavour to satisfy, as well as they can, rights morally inherent in the members of the community and anterior to all legislation.

Now I want to know how we stand with regard to this matter. In the first place, it is one to which more administrations than I can easily remember, more Queen's Speeches than I could readily count, have been solemnly and deeply pledged. Promises have been recorded in the face of the English people, which promises either ought not to have been made, or else ought to have been redeemed; and if such promises remain over long in suspense, if, after being profusely tendered in times when it was politically convenient, they are cast aside when it appears to be safe to make short work with them, the inevitable consequence is, I will not indeed say discontent and disaffection in the mass of the community, but

the animosities and the soreness of a protracted struggle, something, perhaps even much, of resentment, or even of disaffection. But, gentlemen, this question, like all others, is at the present moment not in our hands: it is in yours. In my opinion we ought to draw a lesson from the manner in which it has been taken up and abandoned by various governments. Any government that should again take it up in deference to the supposed feeling of the moment, or to the wishes of their supporters, but without a well-considered prospect of carrying it through to its conclusion, would, I am persuaded, not perform, but abandon their duty to the country; and, above all, their duty to the labouring class. Let us have no more of this promising without redeeming. If there has been slackness in the parliament, it is a slackness which I for one have been glad by every fair effort of argument and persuasion to try to remove; but, on this you may depend, it has only been the mirror and the representation of a corresponding sentiment, and of a flagging interest in the country. If you, the constituencies, desire that this question shall be taken up and carried through to a satisfactory conclusion, with you the matter rests. The House of Commons never has yet refused, and I am sure it never will refuse, to give effect to the well-considered wishes and convictions of the people of this country. And now, gentlemen, I will detain you no longer; my time I fear is, and your patience must be, entirely exhausted. I will only say this in conclusion. It is my desire to state broadly to you the question that I ask you. I have spoken of some of the points of public interest which have come before the parliament that has just been dissolved, and which now occupy the public mind. The country in general, if we may judge by the events of the last few days, seems disposed to give a verdict upon the past which shall be perfectly intelligible. I have been one of those who for many years past have laboured to promote that system of beneficial legislation which I believe has your cordial, nay, your almost unanimous, approval. I ask you, then, to consider whether you, by the voice you are to give on Thursday, will utter a note discordant from what I may now fairly say appears to be the prevailing sense of the constituencies; or whether South Lancashire, which, better than any other portion of the country, has followed, understood, and promoted the cause of right and justice from the beginning of the controversy until now, will send forth a sympathising echo to the sound that the nation has given forth, and register her judgment on the men and measures of the time in faithful correspondence with the judgments of the people of England, of Scotland, and of Ireland.

SPEECH AT LIVERPOOL ON JULY 18th

Mr. Gladstone said:—Mr. Rathbone; At eight o'clock to-night, the very hour when I have the honour of appearing before this crowded assembly, the poll has been appointed to cease for the University of Oxford. The very last thing that I could think of would be to connect that circumstance at Oxford with one single word either of disrepect or indifference as regards that ancient, great, and venerable University. Gentlemen, during eighteen anxious years I have been a representative of Oxford in Parliament. It has been my duty in her name to deal, as well as my feeble powers would permit me, with all the questions, bearing upon the relationship of religion and of education to the State, which this critical period has brought to the surface. Gentlemen, I have endeavoured to serve that University with my whole heart; and with the strength or weakness of whatever faculties God has given me, it has been my daily and my nightly care to promote as well as I could her interests, and to testify to her as well as I could my love. Long has she borne with me. Long, in spite of active opposition, did she resist every effort to displace me. At last she has changed her mind. God grant it may be well with her, but the recollections of her confidence, which I have so long enjoyed, and of the many hours and many years that I have spent in her service, are recollections that I can never lose. And if now, gentlemen, I appear before you in a different position, I do not appear as a different man. I have not forgotten the course of my former existence. In this free and happy country I know of no opposition between its various classes and various interests; and there is no reason why the man who has been, to the best of his poor ability, the faithful representative of the University, should not also to the best of his poor ability, if the constituency should be disposed to grant the trust, be the faithful representative of the electors of South Lancashire. In representing that University my task has been one of no small difficulty. The desire of my heart has been to minister to her strength and to her prosperity; and in devotion to her truest interests I will not yield to my favoured competitor. As to the mode of promoting these interests, as to the best method of testifying to that attachment, there may be, and I fear, from what has occurred, there are, great differences between us. My earnest desire, my heart's prayer, is that her future may be as glorious as her past, and yet more glorious still. But if it is to be so, that result must be brought about by resolutely following a certain method of action; by enlarging her borders; by opening her doors; by invigorating her

powers; by increasing her return of work done; by endeavouring, wherever an opening shall be made for her, to rise to the height of that vocation with which I believe it has pleased the Almighty to endow her; that as in other times the Universities of the land, and Oxford as the first of them, led the mind and thought of the country along the path of improvement, so now they, and she in her especial place, may still prove worthy of that high office. But if I am told on the other side that it is only by embracing the narrow interests of a political party that Oxford can discharge her duties to the country, then, gentlemen, I at once say I am not the man for Oxford.

I hope, Sir, it will not savour of vanity if I detain you yet a moment longer upon this subject. We see represented in that ancient institution, represented more nobly, perhaps, and more conspicuously, than in any other place, at any rate with a more remarkable concentration, the most prominent features that relate to the past of England. I come into South Lancashire, and I find here around me an assemblage of different phenomena. I find the development of industry; I find the growth of enterprise; I find the progress of social philanthropy; I find the prevalence of toleration; and I find an ardent desire for freedom. But, Sir, if there be a duty that more than another should be held incumbent upon the public men of England, it is, so far at least as I am able to conceive, the duty of establishing and maintaining a harmony between the past of our glorious country, and the future that is still in store for her. In my humble and insignificant person, on the one hand representing that ancient body, on the other hand placed now for many years in the administration of the most responsible offices connected with the material progress and well-being of the country, I have honestly, I have earnestly, although I may have feebly, striven to unite that which is represented by Oxford and that which is represented by Lancashire. My desire is that they should know and love one another. If I have clung to the representation of the University with desperate fondness, it was because I would not desert that post in which I seemed to have been placed. I have not relinquished it. I have been dismissed from it, not by academical, but by political agencies. The great majority of the teaching body of Oxford, the great majority of those who devote their nights and days and the best years of their lives in rearing youths, have been at all times my supporters in the election, and have not now abandoned me. I do not complain of those political influences by which I have been displaced. The free constitutional spirit of the country requires that the voice of the majority should prevail. I hope the voice of the majority will prevail in South Lancashire. I do not for a moment complain that it should have prevailed in Oxford.

But, gentlemen, I come now to ask you a question; the question whether, because I have been declared unfit longer

versity on account of my political connection with the Liberal party, there is anything in that position, there is anything in what I have said and done, in the arduous office which I hold, which is to unfit me for the representation of my native county. It is sometimes said, and even upon high authority, but I really know not whether it is said in jest or in earnest, that the present Parliament has been distinguished by a series of attacks upon the Constitution, in Church and State. It may be so. It may be that these attacks have been made: but if they have, they have not much fallen under my notice or knowledge. I do not mean to say that I concur with every opinion that is pronounced in respect to the Church in the House of Commons, and he would be a very ingenious man who could concur with all of them; but I do say, gentlemen, that we, as a Government, and that I, as the representative of the University, have not been unmindful of our and my duty to study the interests of the Church. I admit that this is the special duty of those who are chosen to that high trust, and I want to know in what respect the interests of the Church have suffered during the administration of the Government, and during the progress of legislation, through the last six years. There never was a time at which the Church enjoyed freedom of speech in the degree in which she now possesses it. Her bishops and her clergy are permitted to meet, to discuss the questions in which they feel an interest, and to give utterance to their views, according to the old forms of the constitution. It

interests of the Church of England, from which we essentially differ. If it is thought that the Church of England's interests are to be promoted by maintaining some odious stigma, I care not whether it be upon Protestant Nonconformists, or upon our Roman Catholic fellow-countrymen, I disclaim and repudiate all such modes, recommend them who may, of defending the Church. And I say that the misguided persons who, in their folly, would use such weapons for the purpose which they have in view are merely contributing to defeat their own dearest wishes, and are not to be reckoned, as far as their acts are concerned, among her friends, but among her foes. Therefore, Sir, I hold, that the promotion of the civil and religious freedom of our fellow-countrymen, so far from being a sign of disloyalty, is a very sure proof of that affectionate and intelligent service, which a body like the Church of England ought to desire at the hands of her children.

Well, gentlemen, I will not go into details. I will not trouble you by arguing questions which have lately been under the consideration of the Legislature,—questions about the qualification of Dissenters; questions about the oaths required from Roman Catholics. These are measures, with respect to which, in my opinion, a generous and conciliatory policy is the only policy of wisdom; and, whether I sit for Oxford, or whether I sit for South Lancashire, or whether I don't sit at all, I desire and I intend to act upon that policy so long as my life shall last.

But now, Sir, I turn to secular matters; and I will make some observations upon one or two of the questions that have been brought copiously before the attention of the public during the course of the present elections. Let me add, Sir, that I will endeavour to do this in a manner as respectful and considerate as I can towards the feelings, not only of those who hear me, but towards the feelings of those out of doors who differ from me. The issue, gentlemen, which is before you I take to be this. I am a member of a Liberal Government. I am in association with the Liberal party. I have never swerved from what I conceive to be those truly Conservative objects and desires with which I entered life. I am, if possible, more fondly attached to the institutions of my country than I was when, as a boy, I wandered among the sand-hills of Seaforth or frequented the streets of Liverpool. But experience has brought with it its lessons. I have learnt that there is wisdom in a policy of trust, and folly in a policy of mistrust. I have not refused to acknowledge and accept the signs of the times. I have observed—and who could fail to observe?—the effect that has been produced upon the country by what is generally known as Liberal legislation. And if we are told, as we are now truly told, that all the feelings of the country are in the best and broadest sense Conservative, —that is to say, that the people value the country and the laws and

institutions of the country; if we are told this, I say honesty compels us to admit that this happy result has been brought about by Liberal legislation. Therefore, I may presume to say that, since the year 1841, when Sir R. Peel, then placed at the head of Her Majesty's Government, thought fit to place me in a position in the Board of Trade which brought me into direct, immediate, and responsible contact with the commercial interests of the country, from that time onward I have not swerved nor wavered, but have striven to the best of my ability to advance in the work of improving the laws, and to labour earnestly and fearlessly for the advantage of the people. Like all who had opportunities of observation, I have been delighted to witness the progress made in their condition, and therewith their growing attachment to the laws under which they live. Every year has brought with it its reward. We have seen the result of what has been done, not only in the growing wealth, but in growing contentment, in growing industry, I would even trust we may presume to add, in the growing morality of the people. And blind, indeed, must that man be, who, after having been once privileged to take part in processes such as these, withdraws his hand from the plough, turns back his eye from the noble prospect that is before him, and reverts to methods of thought and action, for which, before our late experience, there might have been some apology, but which have been proved to be so detrimental to the real advantage of the country and to the permanent maintenance of its institutions. I venture to put it to this meeting that, although we may have been—I mean the members of the present Government may have been—the members of a party, yet that in associating ourselves with this work of beneficial legislation, and in endeavouring to the best of our power to carry it forward, we have not been labouring for the mere interests of that party, but for the interests of the country at large. Nay, I may, perhaps, without impropriety be permitted to say now, when the elections have been for eight days in progress, that the country in its various districts and divisions has recognised that truth, and has been pleased to seal our conduct with the verdict of its general approbation.

I wish, however, to set before you more particularly one or two of the points upon which we are disposed to make a claim to your confidence. One among them is that we have been enabled to effect at least some degree of retrenchment in the expenditure of the country. Now, on the other side I have observed this answer made, that we have not reduced the expenditure of the country below the point at which it stood in the year when the party now in Opposition were at the helm. The plea from that quarter is this: that the expenditure of the country in that year—namely, 1858-1859—was under sixty-five millions, and that it is now over sixty-six millions; and therefore that we have not only not really reduced, but have increased, the

expenditure of the country; and if we have made a diminution of taxes, it has been made, as some ingenious gentleman has stated, by taking off taxes which we had first put on. Now, gentlemen, let us see how that matter really stands; and before I enter into it I will say that I am not satisfied, as far as I am individually concerned, that the expenditure of the country has yet been reduced to the lowest point which may be found, under the improved and I trust improving circumstances of the day, consistent with its honour and security. But to this declaration I must add a further one. I will say this, and say it without the smallest doubt, that, if the electoral body of this country desires that further reduction shall be effected in that expenditure, they have only to send to Parliament men who sympathise with that view, and the result which they wish for will be infallibly attained. At this moment, however, we are upon a point of fact; and the allegation made is this, that a sum of no more than sixty-five millions represents the public expenditure during the year for which the Government that preceded us was responsible. Now, how does the matter really stand? Pay a little attention to the facts and the dates. In the month of April, 1859, on the 1st of the month, a new financial year began. We were not then in office. Another Government was in office. That Government, when challenged upon its general conduct two months later, founded a vindication, and even called for a vote of confidence and thanks from the House of Commons, upon the ground that, discovering the inefficient condition of our military and naval establishments, they had set on foot what was rather pompously called the reconstruction of the navy. This was in the month of April or May, 1859. Now, it was not until June, 1859, that we came into office. It was not until July that the administration, then just formed, were able to examine the condition of the finances, and to propose measures for meeting the demands of the public service for the year. We had then before us the boast of our predecessors that they had set on foot the reconstruction of the navy; and now I make the assertion, to which I challenge contradiction, that when we came into office in 1859 we found the expenditure going on and the Estimates and plans of the year fixed, and three months of the year already gone by, not at the rate of sixty-five millions, but at the rate, in round numbers, of sixty-nine millions a year. Now, I confess I am surprised to see that some of the very same gentlemen who glorified themselves and took credit in the face of the country for the immense energy they had displayed in setting on foot the building of a number of perfectly worthless wooden line-of-battle ships—can actually think that we have forgotten all these boasts,—that we are disposed to travel back with them to the expenditure of a former year, from which they themselves considered and declared it their highest honour to have departed. It was at sixty-nine millions a year, then, and not at sixty-five millions, that we found the

expenditure proceeding when we came into office. In truth, gentlemen, the legacy which was bequeathed to me as Chancellor of the Exchequer—and most earnestly do I hope that no one of all this vast assemblage ever may have such a legacy left to him by the kindness of his friends—the legacy bequeathed to me in the month of July, 1859, when between three and four months of the year were already passed, and a corresponding portion of money already spent, was how to find the means of meeting a positive deficiency of between four and five millions of money. Well, but even this was not all, gentlemen: because we are told, and told but too truly, that the expenditure did not stop at sixty-nine millions, high as was that amount, but that in the year 1860 it went up to seventy-two millions of money. It was indeed nearer, I think, to seventy-three millions. But how came that about? Why, gentlemen, it was due to the very same reason; we owed it to the kindness of our predecessors. In the exercise of their diplomatic wisdom—they had to instruct an ambassador to sign a treaty with China; and it appeared to them that the signing of a treaty in that part of the world was an operation which could not possibly be performed in a satisfactory manner without the presence of a large fleet, to give assurance, as they thought, of our abandonment of all warlike intentions. The people of China, in some way or other, did not understand the necessity of a large fleet for the signing of a treaty, and thought that this large fleet might possibly have some other object in view. However that may be, as you know, a great disaster occurred in the month of June, 1859, at the mouth of the Peiho, under the instructions of Lord Malmesbury, almost, I think, before the present Government had assumed their offices; at any rate, before it had been able to consider or direct any measure in reference to China. The consequence of that disaster at the mouth of the Peiho was, that we had to find six millions of money in order to restore our position with China. And observe, I am not dealing with this subject as matter of praise or blame, but simply as matter of fact. And, viewing it in that light exclusively, I aver that the undivided credit of the expenditure of from seventy-two to seventy-three millions, which we reached in 1860, is not with your humble servant, but lies with those who preceded us in our offices. Well, gentlemen, since that time we have effected something, at all events, in the way of retrenchment. The expenditure, which was in 1860 nearly seventy-three millions, is now reduced to, I think, between sixty-six and sixty-seven millions. I do not say whether that is satisfactory; I do not say whether it is all that could be done; but I think I may say this, that it was something. And now the question is—How has this been done? And here, again, I have read with considerable astonishment statements that this reduction of expenditure which has taken place has been forced upon Her

Majesty's Government by motions made from the opposite side of the House. Now, gentlemen, upon the opposite side of the House there sit many excellent, many sensible, many enlightened men. In this happy country all parties, fortunately but also naturally, entertain in common much of sound principle and of sound opinion; yet still we have preferences among ourselves, and specially so when we speak, not of the characters of individuals, but of the combined and corporate action of parties. Now, gentlemen, I venture to say, without fear of contradiction, that the influence exercised from the opposite side of the House has in the main, in the vast majority of cases, not been an influence to reduce, but an influence to increase the expenditure. I know what I say: I am confident it can be proved on careful examination of the records of Parliament. A list of the motions which have been made, of the questions which have been put, of the divisions which have taken place, would show how, beyond all doubt, the powerful influence which has been exercised from the opposite side of the House in promoting the giving of public money to Mr. A, or Mr. B, or Mr. C, or to Class A, or Class B, or Class C, or, I might almost say, to whoever wanted it—to every class and every clique, in fact—has been an influence not favourable, but constantly, though noiselessly, most adverse to retrenchment. I will give you, gentlemen, a single instance—I quote the name of the person because I quote it with respect. He is an old member of Parliament, and a man of considerable ability—a man respected by all, one of the most respected members of the opposite party, whom anybody might be well pleased to call his friend—Sir John Walsh, member for Radnorshire, who has been in Parliament for thirty or forty years, and who should know what he is about. But, gentlemen, I tell you this. In 1864 or 1863, I forget which it was, Sir John Walsh thought the moderate reduction made by the Government in the Navy Estimates so alarming, that he deemed it his duty to make a special speech on the subject; and I assure you—for my own ears heard it—that he did not only state that the Navy Estimates, such as they are now, were totally unequal to the wants and necessities of the country, but that the proper way to bring them up to those wants and necessities would be to double them. The instance which I here quote to you was one of the most conspicuous; I am by no means sure that it was one of those attended with the greatest real danger or power of mischief.

Gentlemen, it is quite true that upon one occasion—I think in the year 1862—the House of Commons took a step in favour of retrenchment. By whom was that step taken? A motion was proposed recommending that attempts should be made to reduce the public expenditure. That motion was made by Mr. Stansfeld. I never saw the face of Mr. Stansfeld on the benches opposite. Those who sit on the benches opposite do not seem

to me to have exhibited any great love for Mr. Stansfeld, or to have appreciated the services he rendered to the cause of retrenchment, if we may judge from the steps which they afterwards took with so much zeal and vigour to procure the removal of that excellent man from office. Gentlemen, what I do claim is this,—that to the efforts of the Government and the efforts of their friends, and also occasionally, I admit, and gladly admit, to the exceptional efforts of enlightened men on the Opposition side of the House, is due the retrenchment that has been effected. And further. I have read in the report of the speech of Mr. Disraeli—and I speak of him with all the respect due to his position and talents—I read in the report of his speech to his late and present constituents a statement that retrenchment has been forced upon Government by motions made from his side of the House. I cannot explain that extraordinary statement, which he will have the opportunity, perhaps, hereafter of explaining, if he thinks fit, on the floor of the House of Commons. I really think that the reporter of that speech must for once have been asleep, or some of the heavy drafts, in which Buckinghamshire is sometimes, though unjustly, accused of indulging, must for a moment have bewildered his brain. I think it absolutely certain that he must in some way or other have turned inside out and upside down in the report of the speech the assertion that had been made by Mr. Disraeli; for it was totally impossible that the statement I have referred to could have proceeded from the lips of a gentleman possessing such means of information as belonged to the leader of the Opposition. But then, gentlemen, I go from retrenchment to other matters. And it is very fairly said that good harvests are not the work of Her Majesty's Government. That, gentlemen, is perfectly true, but I recollect a time when instead of good harvests we had bad harvests; when, in consequence of the miserable harvest of the year 1860, there was a deficiency of two millions in the proceeds of the public revenue as compared with the estimate. Did I at that epoch hear anything of the sound doctrine that the harvests are not the work of the Government? At that time, I do assure you, the Government, and especially the unfortunate Chancellor of the Exchequer, were held responsible in full for the character of the harvest. There was not, you would have supposed, a waterspout opened in the heavens which he had not discharged upon the fields beneath; it was he and he only that had opened the windows of the skies. And what a progress, gentlemen, does it show in physical knowledge and training, I might even say in civilization, that a body of most excellent and respectable persons, who in 1860, when there was a bad harvest, were really so much bedarkened as to suppose that harvest was the work of the Government—for they said that the deficiency was its work, and that was the same thing—now, such is the progress they have made, when in 1864–5 there happened to be good harvests, they

have awakened to the perception of the important truth that the harvest is not made good or bad by this or that Administration, but comes as it pleases Providence to send it. Well, but, gentlemen, somehow or other, there is a word, I think a very questionable word, called luck, which has an immense effect upon the minds of men; and they say that the Government is the luckiest of all Governments, and that the Government and the Chancellor of the Exchequer are the luckiest of all Governments and of all Chancellors of the Exchequer. It seems that all the circumstances of the country since we took office have been so excessively favourable to economy, to saving, to moderate expenditure, to large revenue, that to that source alone is to be ascribed the happy state of things which exists. But now let us come down from cloud-land, and for a while consider what our state has really been. I have told you our friends who preceded us left us a legacy of six millions of expenditure in the war with China. That I don't call a remarkably good piece of luck. Well, then, the country, gentlemen, went into a state of great and real apprehension, whether well founded or not, in the year 1860, with regard to its defences, and it determined to have a large expenditure upon fortifications for the security of our arsenals. Well, under the measures taken for that purpose we have spent several millions of money. However right or otherwise such expenditure may be in itself I am not now considering. It was the plain undeniable desire and wish of the people of the country that these costly fortifications should be erected, and sure I am that, when the people of England wish to expend their money, why, they will spend it; but you will admit with me it was not to be considered a great piece of luck for the Chancellor of the Exchequer. But that is not all. It was in the year 1859 that the Admiralty set about that remarkable work, the "Reconstruction of the Navy," which was a very favourite phrase at the time, though you do not hear quite so much of it now. Well, it is rather an expensive description of amusement for the First Lord of the Admiralty, this reconstruction of the navy; together with the building of useless line-of-battle-ships, there was undertaken what was really an attempt at something amounting to reconstruction; an attempt rendered wise and necessary by the remarkable transition from the use of wood to that of iron in the building of vessels. This remarkable, and, on the whole, I trust, very beneficent transition has for the moment entailed great cost in the provision for the defences of the country. That is not "luck" for the finances of the country. Well, gentlemen, again, four years ago, by an awful visitation of Providence, which rent for a time in twain the great Republic so nearly and deeply associated with us, beyond the waves of the Atlantic, there came upon Lancashire that which is familiarly known by the name of the Cotton Famine. When we look back upon the Cotton Famine, and when we consider the noble qualities that

were displayed in the times of that most searching affliction—when we recollect how we were then, for the first time perhaps, awakened to the consciousness what a treasure we possessed in the factory population of this country, we recognise the wisdom of Providence in drawing good from that which seemed at the time to be unmitigated evil. But that is not my present point. I want to know how that Cotton Famine was to be considered as a piece of financial "luck." I find, on the contrary, it cut down our revenue, when it was at its greatest intensity, by from one to two millions in a single year; and, beyond that, it was one of the most special inflictions, from its peculiar nature, to which the Exchequer of this country ever has been subjected. Further than this, I thankfully join with you in acknowledging the bounty of Providence vouchsafed to us in the abundant products of the earth. I cannot admit the doctrine that our situation is owing to luck; I acknowledge that in all good which befalls us, we should recognise a hand higher, and a counsel wiser, than our own: yet, speaking as a man to men, I do believe that we, as a Government, are enabled upon the period of the present dissolution to show our face before our fellow-countrymen, and that without a blush for the financial condition of the country.

Now, Sir, as to the points on which I have last been addressing you, I admit them to be points that more or less touch our distinctive professions as we sit on the right hand or the left hand of the Speaker's chair. I am not ashamed to touch them; I do not lament, I do not regret, I do not mean to abandon the political association in which conviction and experience have placed me. But I do say to you, and I say through you to the people of South Lancashire, that to the Liberal party of the present generation, and with them to those members of the Conservative party, like Sir R. Peel, who preferred the interests of their country to their place and power, has been committed the extraordinary grace and favour of being enabled, while they have held office, to address themselves, and to address themselves with effect, to the promotion of measures which ascend far above the height and descend far below the depth of every party consideration, whatever it may be. There are objects, gentlemen, which belong to our common country—to this England in which we live. We have around us a vast population. These teeming masses live under the ordinary dispensation which affects the lot of human kind; and experience teaches us that it has not been always possible for the bulk of the community that live by toil upon this bounteous earth to secure to themselves abundance of the first necessaries, much less of the first comforts of life. We know that in this free country, that we admire and love so much, but half a century ago great part of the peasantry were ground down almost to the very dust; while the manufacturing population was tainted with a dis-

affection that it is unfortunately too easy for us to understand, and too difficult for us to condemn. We know that at that time few were the labouring Englishmen who could see their wives and their children decently lodged, sufficiently fed and clothed, and of fewer still, and fewer far, can I say in addition, tolerably educated. What is now the state of things? Much may yet remain to be done. My belief is, that there will always be ample scope for all the best energies and all the best gifts of legislators and public men, as well as of private benevolence and philanthropy; but something at least, by the mercy of God, has been achieved. Education has gone forth through the length and the breadth of the land. Voluntary institutions for every purpose of good, and because voluntary, the best of all, have sprung up in multitudes. Wise laws, abolishing the mischievous restraints upon capital and labour, have enormously added to the wealth of the country. In so short a period as the last ten years the foreign trade of England has become nearly double what it was. It is more than triple what it was five-and-twenty years ago. With the series of acts relating to the material condition of the country have been joined, as I have said, numbers of others bearing upon its moral and social condition, and tending to set the masses of the community free in some degree from necessary and servile attention to their bodily wants; to wants charging and overcharging each day as it arose; that they might care for their higher interests, for the cultivation of their intellect, for their position as rational, as moral, and as spiritual beings. But, gentlemen, this is no party matter. The contemplation of it, if only for a moment, carries us above the close and loaded atmosphere of party into a higher and a purer air. Oh, what folly it has been, if there has existed any party in the State that has allowed to its rivals and opponents the glory of almost monopolizing the prosecution of such a work! But how happy, on the other hand, are they who have been permitted to bear even the very humblest part in it! Never can I be too thankful that, not owing to any deliberate choice of my own, but rather to the circumstances in which, without my own suggestion, I have been placed, I have been as it were compelled to enter into that beneficent work, and to make the prosecution of it the main study and purpose of the best years of my life. It has been a work, of which the vibration, so to speak, is felt throughout the United Kingdom, and felt not only in the United Kingdom, but felt, I rejoice to say, upon many a foreign shore; and those who formerly regarded England with jealousy or with hatred for the selfishness of her commercial legislation, are now by degrees unlearning their ancient prejudices, and are glad to follow the beneficent example that has been set them by the Parliament of the United Kingdom. It has been felt, then, through the world, it has

been felt through the dominions of the Queen, it has been felt through those islands in which we live, it has been felt, if in any one place more than another, in the very district, and in the very place, in which we stand. In Liverpool, in Manchester, on every heath and hill, and in every valley, in every haunt and hive of this industrious and stirring county, has been felt the impetus thus given to the industry of man, and the influence thus brought into play for bettering and advancing his position. Gentlemen, it would be the height of arrogance in me were I to forget that I am no more than a young, a late, a feeble labourer in this happy, I will even say in this holy cause. Many have gone before me, many have exceeded me; but, with sincerity of heart and purpose, I have given myself to the prosecution of the work; and I come before you who have fostered it in its beginning, known it in its progress, and enjoyed it in its more ripe results, and I ask you to pronounce whether those who have been privileged to take part in such a work are or are not disabled and disqualified from sitting in the Parliament of England, from receiving the suffrages, from being honoured with the confidence, of the electors of the county of Lancaster.

SPEECH AT NEWTON AT THE DECLARATION OF THE POLL ON JULY 22nd.

Mr. High Sheriff and Gentlemen,—I am physically disabled from using any effort to address you to-day. I am entirely dependent upon your indulgence. On the Exchange in Liverpool, on Wednesday last, I had the honour of addressing a company almost countless, in hearing of the roar of Dale-street and of Castle-street, and, I am sorry to say, the result was that I left my voice behind me. Now, it is just to the two or three who stand in that neighbourhood (*pointing*) that I wish plainly to say, if they are willing to hear me, I will endeavour not to abuse their indulgence. I see one gentleman in particular; he has been very active. His lungs are in a much better state than mine; but if I may address myself to you, my friend, I tell you plainly, on another day when my chest is right, I would not mind having a tussle with you in voice, not to say in anything else; but to-day I am totally unable to undertake anything of the kind: I am at your mercy, so to your mercy I make my appeal. Mr. High Sheriff, having premised thus much, I need hardly add that both upon this and many other grounds I shall endeavour not to abuse the indulgence that I may receive. I have no doubt that the speeches of my two successful colleagues have been models in point of taste and feeling, but I unfortunately have not caught the purport of them as much as I could have wished, and I beg them to believe that, if any omission in what little I have to say—any omission of reference to them—should appear to be disrespectful, they will assign it to the true cause.

Mr. Sheriff and gentlemen, as politicians we live a life of contention; because in Parliament it rarely happens that our time is occupied in dealing with the many great questions—upon the deep and important principles—upon which, thank God, as Englishmen, we are all agreed. It is our happiness to dwell in a country where the principles of liberty, liberty of person, liberty of property, liberty of belief, liberty of speech, liberty of assemblage, and liberty of petition, are better understood than in any other country of Europe; and I rejoice, gentlemen, to think that the strongest politician amongst us, the most ardent partisan on either side, has no hesitation in sharing the feeling of satisfaction with which I at this moment in particular reflect upon the large inheritance of political belief that is common to us all as Britons, by whatever name we may think fit to call ourselves. Well, now, gentlemen, if I say one word upon mere politics, it will be said, I hope, in accents that cannot give offence; and I must already interrupt the course of these few remarks by rendering my thanks to

opponents as well as friends who are present for the patient kindness with which they are hearing me. Gentlemen, if you ask me for a political motto, in my search for one I should be very apt to borrow it from a character well known and much respected among us—I mean the policeman. When the policeman in London—and I suppose it is the same elsewhere—when the policeman finds a number of people blocking the footpath, he jogs one or two of them gently by the elbow and just says, "Keep moving." But, gentlemen, when the policeman says "Keep moving," he does not mean "Rush out into the street and fling yourselves under the wheels of the omnibuses and the cabs." Neither does he mean, "Overturn as quickly as you can, and as far as your ability will permit, everything that comes in your way:" what he means is really and simply this, that the people who are upon the footpath want to get on, that they have good reason for wanting to get on, and therefore it is a great pity that they should be compelled to stop. Well, now, gentlemen, that motto, familiar as the illustration may appear, I presume to think is a just and a sound motto in political affairs. It is all very well to say, "Things are very prosperous; why can't you be content?" But in all human institutions there is an element of taint and corruption—a principle of lapse and decay—that is continually at work: and not only the popular doctrine of politics, but the truest and soundest philosophy of human nature, teaches, in my opinion, that it is the duty of public men to make it their care and study to apply to these dangerous powers and tendencies, which are in sleepless operation, a corrective, as persistent and as wakeful as they are themselves, in the shape of vigilant attempts to amend and an anxious desire to advance. And now, gentlemen, having said so much, with your kind indulgence I think I have said all that is necessary for the occasion. I mean all that is necessary for the occasion which can partake of a controversial nature. I have said that our life is a life of contention. It is well that in the midst of it there should be some days of repose and peace. I don't think that Mr. Egerton, Mr. Turner, and myself are met here to fight our battles to-day. No doubt when we meet on the floor of the House of Commons we shall all be ready to perform our duty to our country, according to our respective convictions, and to the best of our abilities. I, gentlemen, for my own part, with the help of the Almighty, shall certainly endeavour, during what remains to me of political life, to persevere in a course which I think has met, under circumstances sufficiently remarkable, in my own person, with the approbation of the electors. Gentlemen, I am as deeply indebted to you, the electors of South Lancashire, as it is possible for any man in my position to be. If I came here a wounded man, you have healed my wound. It was an active, though I have no doubt a perfectly loyal canvass of twelve months, carried on as Disraeli's

had a right to carry it on, by the whole strength of a political party, which deprived me of my seat for Oxford: but it has been a campaign of two days, and no more, that has given me my seat for South Lancashire.

I take this opportunity of expressing to you, gentlemen, my deep regret that it has not been in my power in the usual and constitutional manner to appear as a candidate before assemblies of my fellow-countrymen at all the different points of the southern division. But, gentlemen, I am, as I have reason to be, all the more thankful for the result. Perhaps I may offer with sincerity, and without suspicion, a word of condolence to the defeated candidates, because I have myself been so recently in that position, that, though I recollect it without malice, yet I recollect it with a tolerably lively sense of what it is; and therefore I offer to them the sympathy of one who has suffered like themselves. I offer to the late member for South Lancashire, whom I have been the means of displacing, the tribute which I believe he deserves, of my sincere personal respect and regard. Nay, gentlemen, I will go further, and I will wish him heartily a seat in Parliament, subject to two considerations. One is, that he wishes it himself—and the second is, that he does not displace some politician more nearly of the same colour as myself. Gentlemen, with respect to Mr. Heywood, his abilities, his experience, his services in Parliament, the assistance that he has given in promoting important changes and important measures of improvement, I can truly say—even though upon every one of those measures he and I may by no means entirely concur—have given him a distinguished place, and make his exclusion from Parliament a legitimate subject of regret. As to Mr. Thompson, I entertain not only the fervent hope, but the confident expectation, that at some early period a gentleman of so much ability and so high a character, anxious to devote his life to the service of his country in our free and open Legislature, will find an easy and a secure way, and an honourable way, into Parliament. As to my honourable friends (Messrs. Egerton and Turner), from whom I am separated by too great a distance to expect them to take the hand that I hold out, I am sure that we shall all cordially desire to co-operate together where we can, and that, where we cannot, we shall, with a perfectly good understanding, fight out our differences like men. And now, gentlemen, I thank you from my heart; I thank you without reserve and without distinction. I thank those who, at the head of the committees, pursued a canvass under the almost unexampled disadvantage of being liable to the imputation that the candidate whose name they had placed first on their card was nothing but the name and shadow of a candidate. I return my cordial thanks to those who compose the committees of the wards and districts, who, I believe, have laboured, and especially have laboured during the animation of the last stage of the canvass, with that energy

and that straightforwardness of purpose which belong to Englishmen, and which every Englishman, whether he be friend or whether he be opponent, must admire. I thank the voters of the Liberal party, who have come up with such energy and zeal, and in such numbers, to my support. I know that with respect to some of them, too, it was not merely for their favour, it was also for their indulgence, and their truly liberal indulgence, that I had to look. And lastly, gentlemen, you will think I discharge no more than a debt of gratitude when I say, I also thank those who kindly and generously, whatever may have been their ordinary party associations, have thought fit, in the exercise of their electoral franchise, to give their support to one who did not wear the same colours as themselves, so as to assure to me the seat that I now honourably occupy. And one step further, gentlemen, I must go—I must thank, without exception, the whole of those who have been opposed to me in this election for the kindness, and fairness, and moderation—I might almost say something more—in many cases for the favour, with which I have been treated. I have seen, gentlemen, nothing at all said against me in any local journal which has met my eye—and if any other local journal has said anything worse, I hope none of you will tell it me—I have seen nothing at all said against me in any local print except this—that I am an erratic politician: and that is a thing, gentlemen, that I have been accustomed to hear said of me as long as I have lived. But, gentlemen, erratic or not erratic, for more than a quarter of a century I have led an active life—a great part of it in those very offices of the State which place a man in the closest relations with the very sharpest sense and perceptions of his fellow countrymen. And for my part, if a man is erratic, I would advise him not to try his erratic propensities upon either the trade or the finances of this country. But, gentlemen, in referring to the use of that most inoffensive epithet—it may be just—God knows whether it is or not—I did it only to show how tenderly even opponents and adversaries had been disposed to deal with me. Gentlemen, I venture to trust that the recollection of that tenderness will go with me to Parliament, where you have sent me, and that, if I am ever tempted, in the heat of party conflict, to think unkindly of any one who may sit over against me, the recollection of this election for South Lancashire may act as an effectual corrective, and may tend to cherish or to revive in my breast a quality that is too often forgotten in our political contests, but which, we may depend upon it, is of as much value, or of more value, in public life perhaps, than even in private life—and that is the homely quality which goes by the name of Christian charity. Gentlemen, I trust we shall part in Christian charity to-day. In this country we may call ourselves Liberals, or we may call ourselves Conservatives. But you are aware that our friends who call themselves Conservatives contend that they are in reality more liberal than we are; and you

likewise know that we retaliate upon them by saying that we who are Liberals are a great deal better Conservatives than they are. We think —I won't say we are right—but we think we prove our case by pointing to the present condition of the country, the present sentiments of the people, the present relations between class and class, compared with what they were in the days of the corn-laws of 1814 and of the Six Acts of Lord Sidmouth. For the moment, gentlemen, let that matter of dispute remain as a drawn battle between us. Let every man then to-day, without stint or scruple, abound in his own sense; let every man drink his own health with three times three. Honesty of purpose, manliness of proceeding, straightforwardness, truth, and energy, have hitherto been—and I trust will continue to be—the distinguishing characteristics of my countrymen. As for our battles, let us fight them out fairly; as for our agreement, let us never cease to remember and to rejoice that we have a common country—a glorious country—a noble country—a country with a past that has given her one of the most distinguished places in the history of our race; and a country with a future awaiting her, before which, I will not presume to hope, even her past may grow pale—but of which at any rate I will venture upon saying so much as this, that we may well hope the generations of Englishmen who are yet to come, and the annals of our country yet to be unrolled, will not be unworthy of those that have gone before. Let us each in our several stations labour for that noble end, and rely upon it we shall have cause to be thankful, alike for that which we have received from our fathers, and for that which we may hand down to our children. Gentlemen, I have only further to repeat, and to repeat most cordially, the thanks which I ventured to tender before for your extraordinary patience, forbearance, and kindness. Even the smallest minority of this assembly might, if they had been so disposed, have prevented my being heard. They have allowed my feeble voice the privilege of uninterrupted speech, and I beg to tender to them the tribute of my warmest thanks.

SPEECH IN ANSWER TO AN ADDRESS FROM THE PRINTERS AND COMPOSITORS OF NEWTON ON THE 22nd OF JULY.

THE CHANCELLOR OF THE EXCHEQUER said: Mr. Ball, Mr. Palmer, and Gentlemen,—I am extremely thankful to find that the arrangements of the day have been so made, and likewise that the indulgence of the great meeting out of doors was so unbroken, as to leave me a little fragment of time, and a little fragment of voice, to acknowledge the remarkable address that you have just presented to me. I must refer first, gentlemen, to the closing words of that address, which are affecting words. I do not know that it is unseemly to introduce them on these occasions. I hope it is not so. The opportunities when we can meet are not numerous. We do not meet very often. It is not a matter of every day. Although I am too happy to seize the rare occasions that are permitted me of coming into immediate contact with great bodies of my fellow-countrymen, yet it is but very rarely that they can arise, by reason of the increasedly absorbing nature of public business in the present age. And therefore, gentlemen, I do most cordially thank you for the high Source to which you have referred me in this address as the only source of good. The labours that we do in this life—how poor they are! How much cause we have to be ashamed, in looking back upon them, that they were not better done; and how deeply convinced we all must feel, from the marks which it has pleased Providence to impress upon our daily experience, that for us all—for those of us who are old, and for those of us who are young alike—this world is nothing but a school, where we are put for a little while to learn our lesson, and that there is a place beyond the grave where it will be proved whether we have learned it or whether we have not. Well, now, gentlemen, passing from that subject—that solemn subject—I cannot help referring particularly to two of the phrases that I find in this address. You kindly give me credit for "a pure and honest wish to do all the good I can for the moral and social improvement and elevation of the working classes of this great nation, as well as acting justly and consistently to all those in the higher spheres of life." Now, gentlemen, I cannot say that these sentiments of equal regard for the interest and welfare of all the classes which compose society, coming from you—I am now addressing you as an assembly of working men, and I presume the bulk of you correspond with that description—I cannot say that your receiving me with such a declaration in the slightest degree surprises me. On the contrary, it

is in thorough conformity with what I hear from the working classes whenever I am placed in contact with them in whatever part of the country. They are just as sensible as any one can be—and I trust and believe they will always remain so—that what is called mere levelling, that is to say, the mere pulling down of what is above us, is a mistaken and even an abominable system. It never really implies a genuine and earnest desire to lift up what is below us. But the working men of this country—the working artisans of this country—have many that are below them as well as many that are above them. You know that society is, as you have gone on to describe it, like a well-built, well-ordered fabric, with many stones and many timbers, many doors, many windows, many parts and portions of the structure, all and each having their separate offices, some of them above and some of them below, some of them larger and some of them smaller, but all built and framed by the mind of the builder to serve one common purpose; and that if you are to suppose that good is to be done by bestowing excessive and exceptional prominence upon some one portion of the building, or, to quit the metaphor, if our scheme of policy be to grant a monopoly of power or of favour to some one class or clique in society, it is not for the benefit even of that part, and it is the ruin of the whole. It is not, I say, for the benefit even of that class. The interest of every class is to have justice done to every other class; and, gentlemen, that is the test to which I am sure you are disposed, and to which I hope you will always determine, to bring the deeds of the public men of this country. Well, then, gentlemen, you go on to say—and this pleases me particularly, though it rather leads me again to the subject I have just been upon—you go on to say that the public man ought to be regarded as an architect. That is the best answer you can give to any who suppose that the profession of popular principles makes a man justly liable to be called a destructive. Certainly, gentlemen, an architect is not a destructive, and a destructive is not an architect. An architect may find it his duty, as you go on to point out, to pull down what is old; but not because it is old,—no, not a bit. If it is the fine old architecture of the past times he reveres it the more because it is old, and the good architect you will find even passionate in his admiration of what is old, providing it is good as well as old; but if it has become worthless, either from being or in spite of being old, and if, being worthless, it attempts to shelter itself under the pretext of its being old, then the architect says, "No; I cannot listen to that, I must pull you down;" and so he pulls down that which is old if it is worthless. But why does he pull it down? Not for the sake of pulling down, as if pulling down could, except in the case of things evil, be a purpose in itself; but for the sake of building up in its place something which is better, something which will more effectually serve the use for

which the building was erected. Building up is the business of the politician, the business of the minister, the business of the member of Parliament; my business, as knight of the shire, now that I have been elected a member for the county of Lancaster; your business as citizens, your business as electors, your business in every opinion you give on public affairs. There have been countries, unhappily, where, from the course of affairs having gone long and obstinately awry—there have been countries—and such perhaps was the state of France before what was known as the great revolution—where a great sweeping work of destruction was necessary, almost, perhaps, absolutely necessary, before any good could be done, because the defects and the diseases were incurable. That is not our case. This is no such country. Our business is chiefly to build. I admit it is to repair; but besides repairing, it is to extend, it is to raise higher up, it is to spread wider and wider the lofty and noble building which we fondly call the British Constitution. This is the nature of the function to which public men in England are called. It is a happy duty, gentlemen. They are supported in it by the indulgent favour of their countrymen. I will say that nothing has struck me more in the course of a long public life than the general fairness—nay, the more than fairness — the ordinary and usual generosity of the judgments that are passed, not by one class or another, but by the whole community, on the character and conduct of public men. I am quite certain of this as matter of personal experience—that if sometimes it has happened to me to think that in one or another particular I have been unjustly condemned, ten times more numerous have been the occasions when I have felt that I was unjustly and unduly praised, and far in advance of what I had deserved. Well, gentlemen, this is the work that has been before us. And I now cannot help saying one word upon your particular duty and business. It is one in which I feel a special interest. One of the sharpest passages in my political life, gentlemen—perhaps I ought to say the sharpest of them all—was that which was connected with the repeal of the paper duty in 1860 and 1861. I know not how it was, but that was a period when even friends seemed in some cases to become lukewarm—many who had said before, at least, that they were friends, seemed to become lukewarm or abashed, and when opponents seemed to grow more and more confident. It was then, I assure you, my frequent duty to sit in the House of Commons, and not only to hear the Government, or, it might be, myself, called rash, reckless, and profligate, for sacrificing without a sufficient end the revenue of the country, but to hear it said that the paper duty did no harm to anybody, that it restricted no trade, that it was no burden upon commerce, that the additional dearness of paper could have no effect of what was called a sensible

description; and forgive me, gentlemen, if, in the attempt to describe, I abandon detail, and say simply, in my homely language, that there was at that time a copious venting of all the trash and all the nonsense, which, if it had been good for anything, was perfectly good against the repeal of the corn-laws, against the repeal of the navigation laws, against the repeal of the soap duties, against every good measure of that kind which had been carried in our time: the whole of this trash came out reburnished and done up again to oppose and obstruct the repeal of the paper duty. And now, gentlemen, what have we seen as the result? Why, we have seen—and I acknowledge it with thankfulness in the face of God and man—that the repeal of the paper duty has been a greater blessing even than any of its promoters anticipated. I *did, gentlemen, to the best of my ability, fight a battle, and I will* even say a hard battle, for its repeal. And I find now that in its repeal not only was there involved the liberation of a great branch of trade—a branch of trade which is already great, and which I believe will, as years roll on, become very much greater—but there was involved a seed of social and moral good that has sprung up with rapidity and has borne a harvest such as I confess I was by no means sanguine enough to expect. We said to-day at the hustings that the Liberal policy is conservative. Look at the daily penny press. What is the daily penny press? The daily penny press is an organ that finds its way into the house of the working man; that keeps him well-informed, without the least disparagement to other classes, upon the course of public affairs; for the daily penny press is not destructive nor licentious more than any other portion of the press—if possible, it is even less so; but its office is to keep the working man daily informed of all current public transactions. Why, what is that but creating a new interest in the mind of the working man—an interest that is refreshed from day to day—in the affairs, the laws, the institutions of the land? What is that but making him feel that he has become in a new sense a citizen of his country, that his country owns in a new manner his title to a share in public affairs? He feels it; his bosom enlarges with the sense of it; and in that bosom, so enlarged, there spring up a continual growth and increase of love and attachment to the Queen, and to the institutions of the country.

ADDRESSES.

ADDRESS I.

To the Members of Convocation in the University of Oxford.

Gentlemen,

After an arduous connection of eighteen years, I bid you respectfully farewell.

My earnest purpose to serve you, my many faults and shortcomings, the incidents of the political relation between the University and myself established in 1847, so often questioned in vain, and now at length finally dissolved, I leave to the judgment of the future. It is one imperative duty, and one alone, which induces me to trouble you with these few parting words: the duty of expressing my profound and lasting gratitude for indulgence as generous, and for support as warm and enthusiastic in itself, and as honourable from the character and distinctions of those who have given it, as has in my belief ever been accorded by any constituency to any representative.

I have the honour to be,
Gentlemen,
Your obliged and obedient Servant,
W. E. Gladstone.

Hawarden, Chester, July 18, 1865.

ADDRESS II.

To the Electors of the Southern Division of the County of Lancaster.

Gentlemen,

I appear before you as a candidate for the suffrages of your division of my native county.

Time forbids me to enlarge on the numerous topics which justly engage the public interest.

I will bring them all to a single head.

You are conversant, few so much so, with the legislation of the last twenty-five years. You have seen, you have felt, its results. You

cannot fail to have observed the verdict which the country generally has, within the last eight days, pronounced upon the relative claims and positions of the two great political parties, with respect to that legislation in the past, and to the prospective administration of public affairs.

Without the least disparagement to many excellent persons, from whom I have the misfortune frequently to differ, I humbly but confidently ask you to give your powerful voice in confirmation of that verdict; and to pronounce with significance as to the direction in which you desire the wheels of State to move.

Before these words can be read, I hope to be among you, in the hives of your teeming enterprise.

I have the honour to be,

Gentlemen,

Your most obedient and most humble Servant,

W. E. GLADSTONE.

Hawarden, July 18, 1865.

ADDRESS III.

TO THE ELECTORS OF THE SOUTHERN DIVISION OF THE COUNTY OF LANCASTER.

GENTLEMEN,

Within forty-eight hours of my first act of appeal to you, your prompt response has placed my name on the list of your representatives.

I feel deeply, not alone the greatness of the honour, but the generous manner in which it has been conferred.

It will be my study to discharge the duties of my trust in the spirit of the declarations with which I solicited your support.

I have the honour to be,

Gentlemen,

Your most obliged and most obedient Servant,

W. E. GLADSTONE.

Hawarden, Chester, July 21, 1865.

we were convinced by demonstrative evidence that it was by him that the wishes and opinions of that party would best be represented. And therefore his first pledge and promise was, that he could not be a candidate at all unless invited in a manner so unequivocal as to be reasonably and morally sure that he would be the object of your choice. But, gentlemen, it may be said, "That is all very well, but what was to be the test?" Very well, it is a fair question. Each of us has had a test. Mr. Fenton has proposed a test, and we have proposed a test. And, gentlemen, if I refer to Mr. Fenton, and if I show that this responsibility lies not at our door but at his (A voice: "It does not"), I shall endeavour to do so in terms that cannot give offence to the gentleman opposite who just now expressed his opinion, nor to anybody else; and not one word of intentional disrespect to Mr. Fenton, to his friends, or to his opinions, will escape me on this occasion. "Oh," said Mr. Fenton, "decide the case between us two by a meeting of the Liberal electors." Well, now, I frankly own I have no doubt that Mr. Fenton, with his other accomplishments, must be a gentleman of great humour, and that he knew we were very simple—he knew, as has been said of one among us, we were little better than babies; and I really think he considered a fair joke might be passed off upon us; because no one will seriously tell me in earnest that a man could really suppose that the parliamentary representation of Chester was to be disposed of by a meeting, called, forsooth! a meeting of the Liberal electors. How is a meeting of the Liberal electors to be held? Are there to be doorkeepers, to ask every man as he enters, first, whether he is an elector, and, secondly, whether he is a Liberal elector? Suppose he thinks he is a Liberal elector, and the doorkeeper does not, is the doorkeeper to slam the door in his face? I take it that this is for the most part a meeting of Liberal electors, and right well pleased I am to meet you, gentlemen; but at the same time it would not be very easy to decide at this meeting, crowded and packed as you are, who should be the member for Chester. I think a good deal might depend in some circumstances upon who was in the chair. But it is needless to argue the matter in detail. The truth is, that was a method of declining altogether a reference to any trustworthy criterion. Well, gentlemen, let me now deal with our criterion. We did not entertain the question of the Chester seat at all until a requisition signed by 400 persons was presented, and then we said what I am bound to admit was not very civil; we then said, "That will not do." We said, "There is no proof in that requisition that my son is to be the object of the choice of the bulk of the party which forms the majority of the constituency; and unless that condition is fulfilled, we will not go into the field—we will not divide the Liberal party." Well, thereupon our friends, not discouraged, and I must say putting a good face upon the matter, went back to their work and raised the 400 to 800. Well, considering that, after all, Mr. Raikes has a party in Chester, and considering that the number that can be polled in Chester is, as I am told, not more than 1900, the presentation of a requisition with over 800 names did appear to show at least presumptively that the man who received it was and would be the choice of the majority of the electors. But even then, gentlemen, we did not hurry to a conclusion; but we said to Mr. Fenton, "Produce a superior or equal manifestation of strength, and we will retire from the field." Nay, more, I say so now. I make that promise again. (A voice: "He can do it.") Well, if he

can do it, by all means let him do it. We made that proposal, and what was Mr. Fenton's answer? Mr. Fenton looked with a critical eye at the requisition. He said, "Here are a hundred men that I knock off upon one plea or another; three have signed thrice, fifteen have signed twice, forty or something like it are unqualified to vote; some have invited him, but do not promise to support him; and that way about a hundred names are made up." (A voice: "More than a hundred.") Don't be in a hurry, my good friend. If you will take one thing at a time we shall get forward all the quicker. As regards that hundred names, I trust to the supporters of my son and the framers of the requisition to deal with those particular criticisms; but for the present, and for the sake of argument, I will suppose they are good, and that a hundred are to be struck off. But then Mr. Fenton took broader ground, and said, "Good heavens! worse than all; here are 294 Conservatives," all of whom this ruthless man proposed to disfranchise at a stroke. That was a terrible proposition. The ground of it was that they had voted for Mr. Humberston at the last election. Now, gentlemen, you know the history of Chester better than I do; but I have been told that of the Liberal party in Chester, not only 294, but probably 500 or 600, voted for Mr. Humberston, and therefore I confess I am not prepared to disfranchise gentlemen who supported your present member for having put their names to this requisition. I do not approve of the policy that is pursued by the party which calls itself Conservative. I do not think its measures usually tend to the conservation of the interests of this country. But for many of the gentlemen in that party I have a great respect, and upon their votes I will not deny that I set some value. But suppose that were all true, did not Mr. Fenton see that it made it not the less but the more necessary that he should accept the test? His business then was to

deference to the general and prevailing wish of this crowded, I fear this inconveniently crowded, assembly. All I would venture to suggest is —and that, I think, is a fair appeal—that if it be the desire of the large majority of the meeting that I should speak upon the state and prospects of this election, the minority of the meeting, the very small minority, will pay some regard to the wishes of that majority. Well now, gentlemen, I take interest enough in this contest to endeavour to improve my mind from day to day by references to the political literature of Chester, and it is with rather a peculiar interest, from the fact that I am the subject of a portion of it. I refer particularly to the speeches that have been made by and in the presence of the gentleman who is called the Tory candidate—I mean Mr. Raikes. Now I must express my regret that the discussions at that gentleman's meetings have not been confined to political matter, but that matter affecting personal character, and even some portion of it matter which I must designate as foul calumny, has been introduced either by the error of the reporters or by the error of the speakers. I shall not allude to subjects of that class. I shall deal with them not here but elsewhere. But I hope, and I give it as my best advice and injunction to my son, and I trust I may put it forward as an earnest entreaty to his friends, that on their part in this contest everything of the kind shall be studiously avoided. But, gentlemen, I pass on from that subject to politics of large and general interest. And these are matters of fair remark in every meeting of Englishmen for a political purpose. I have read Mr. Raikes's speeches. I think he seems to be a young gentleman of considerable readiness, and he has got a good stock of what are termed cut-and-dried opinions on all the questions of the day. Not only so, but he has contrived to form pretty conclusive judgments upon men old enough to be his father or his grandfather, who have been spending some thirty, some forty, some fifty or sixty years in the service of their country. Mr. Raikes is reported to say, gentlemen, that for the last six years there has been no government in this country. It is true that there has been no government of the kind which Mr. Raikes wished to have. There has been no government such as there was fifty years ago, when the Corn Laws were passed, and when the Six Acts unhappily took their place upon the Statute Book. There has been no government of that description: but, gentlemen, I submit to you that there has been a government of some kind or other. Why, who are the prominent men in the government? Lord Palmerston and Lord Russell. Lord Palmerston is a man who has established what I may justly call a world-wide reputation. Almost wherever the name of England is known, his name is known along with it. And I must add that he is a man whose services, whose experience, whose great powers, and whose estimable and [illegible] qualities have long since given him a place in the favour and [illegible] of his countrymen. And who, then, is Lord Russell? [illegible] no government for the past six years. [illegible] what is Lord Russell? Who wil[illegible] in this generation without gi[illegible] of its very foremost pla[illegible] the just practice, of the C[illegible] of our soldiery with r[illegible] deeds that they have d[illegible] the practice to dec[illegible] medals and with clas[illegible]

have passed, and for the benefits they have conferred upon the country, the breast of Lord Russell would be one blaze of clasps and medals. And yet, forsooth, there has been no government for the last six years. Well, but there is, I perceive, in a part of the same speech, a statement that something at any rate has come about within these six years: I believe it was a commercial treaty with France. I believe there was a treaty of that kind made in 1860, although there was no government in this country. Says Mr. Raikes, "That treaty has very much disappointed the expectations of its friends and the expectations of its enemies." It is said to be a good rule in this wicked world, just to believe one half of what you hear; therefore I believe one half of what I hear from Mr. Raikes in this matter. I believe that that treaty has disappointed the expectations of its enemies. But with regard to the expectations of its friends, I want to know where in the world Mr. Raikes gets his information about them? I will venture to say there are very few of them standing by his side in this election. Did he come eavesdropping at some of your meetings to gather this intelligence? He may be very well entitled to describe the feelings of the opponents of the treaty, but as to those of its friends he is a bad authority. I will presume to say that I know something of the expectations of the friends of the treaty, and I must say not only that no lawyer but that no dreamer ever conceived a statement more exaggerated or more absurd than that it has disappointed the expectations of its friends. What has that treaty done? It has added to the annual value of the trade between England and France, I think, twenty-three millions of money, and besides adding thus to the value of the trade with France, inasmuch as the legislation founded upon and required by that treaty was not confined to France, I believe it has added at the very least as much more to our trade with other countries of the world. And if we are able to see forty or fifty millions of money of beneficial exchange added to the transactions of this country by the conclusion of that instrument, is that a case for disappointment? For what is the meaning of the words which I have just used? You see these figures in statistical tables—do you reflect upon their deep and pregnant significancy? They mean this. They mean millions upon millions added to the profit of capital, to the reward of skill, to the payment of honest labour in this country. They mean comfort carried into cottages, where, but for the demand thus created for employment, want would have prevailed. They mean this,—that when the great calamity of the American war came upon the world, and a great gap was occasioned in our commerce by the comparative cessation of American demand, a demand from France springing up under that treaty came in to supply its place at the very moment, and kept in action those strong English arms which, but for that treaty, would have hung paralysed by the side of our operatives and artisans and mechanics. Well, gentlemen, that forsooth is the disappointment so pathetically described, and that is just one among the acts of a period when there has been no government in the country. Such appears to be Mr. Raikes's idea of the government of the country. What does he think is the business of a government? Does he think it consists only in the regulation of prisons and workhouses, and in the passing and administration of penal or restraining laws? I hold, on the contrary, that we are in our best and happiest employment when fortunate and providential combinations of circumstances enable us to devise means for raising the condition and

increasing the happiness of the great body of our fellow-countrymen.

However, gentlemen, I need not trouble you more on the subject of the French treaty. But this I must say. Be on your guard against those who, while they just acquit from blame the good deeds of other times, condemn the men who did them, and afford you no prospect of their doing the like themselves: who, when they look back over the legislation of the last thirty years, say, "We make no objection to this and that—the repeal of the corn-laws is all very well; the Reform Act is all very well; the removal of disabilities for religion is all very well—but beware of the men who carried the repeal of the corn-laws and who endeavoured to mitigate or remove these disabilities. Beware too of the men who have taught the doctrine of a renewed extension of the franchise." These are the modest demands which Mr. Raikes makes upon you. But then, by way of compensation, all gentlemen of this class are so kind as to assure you that they are perfectly willing to consent to the "removal of proved abuses." Ay, gentlemen, yes, "proved abuses," no doubt, but who is to prove them? And who is to be the judge of the proof? Mr. Raikes and his friends are to be the judges of the proof. But then we should like to know in what manner they will pass judgment upon the proof. Well, but, if I am to understand in what manner they will pass judgment upon the proof hereafter, I must look to their past acts. And what have they been about? What have they been doing in reference to the French treaty? Offering every obstacle to the making of that treaty that the ingenuity and zeal and vigour of Parliamentary opposition could devise. I have told you its character—I have told you its results. Judge of them yourselves; and judge from them whether you ought to give the honour and practical duty of representing Chester into the hands of those who mean to follow the men that resisted the conferring of those benefits, or into the hands of those who mean to support them and to do their best to promote the pursuit of a like policy hereafter.

Now, gentlemen, I come to say a few words that are very strictly relevant to this occasion. My son appears before you as a young man, and Mr. Fenton appears before you as a man proved by experience in business. I wish to state this part of the case fairly, because my son is a man necessarily without experience in what is termed business. Mr. Fenton is a man of experience in business; and I think, naturally enough, a certain presumption may arise in favour of a man of experience in business. But I wish to state to you some points connected with the nature and functions of the House of Commons. The future well-being of this country depends mainly upon the manner in which the House of Commons is composed. The most critical and important perhaps of all its functions is the management of its relations with the executive government; a large part of which, according to our old and salutary, nay perhaps indispensable practice, must be formed from the benches of the House of Commons. You must therefore have a class of men who take to political life, and who do not merely add the duties of Parliament to those of their business or profession. Now, gentlemen, what is practically a political life? What is the life of a man in office? It is a profession. It is just as much a profession and a trade as any profession or trade driven in this city. And allow me to say that, if you intend to carry that profession on, e[illegible]ience has proved that you must have it carried on in the m[illegible]

who have taken to it when they were young. I will illustrate this, if you please, in a familiar manner. Suppose there is any man among you who is a master carpenter, or master smith, and I go to him and ask him to take me in as a journeyman. He would naturally say, "Do you know anything about the business?" "No, but I am willing to learn." But he would say instantly, "You are a great deal too old—go and think of something else." There is ample space and room in the House of Commons for what are called men of business; not only country gentlemen, but manufacturers, merchants, ship-owners, railway directors, and all other sorts, generally speaking from the towns. There will, I hope, always be a large number of such men. What the House of Commons wants is every available diversity of elements. You see this very diversity of elements in this hall. We want every class, every interest, every quality and capacity of mind; but if you wish to have the business of the country carried on, you must be content to return to the House of Commons a certain number of men who are to make it the profession and occupation of their lives; and in order to be well supplied with the means of choice for the government of the country, it is of vital importance that you should always have in Parliament a sufficient stock of those who have gone there with their minds fresh and pliable, and apt to acquire the varied habits and aptitudes which political life demands. Consequently youth is no valid objection to a candidate: and, gentlemen, I should not in the least degree feel ashamed of recommending—if it were in my power to recommend—to you the choice of one whose education has been such as possibly to qualify him for the discharge of public duty; whose character has always deserved my confidence; whose judgment I know already, young though he be, to be sound and good; and who I am confident will prove himself an honest and a worthy representative of the people.

Well now, gentlemen, I came into the vicinity of this hall at the moment when my son had proceeded far in addressing you. Perhaps you will be surprised if I tell you I am not aware of his precise opinions on several points which would probably be matters of interest among you. I wish to leave them to a free growth in an intelligent mind. And I am confident, from what I know of English constituencies and the character of my fellow-countrymen, that you will be likewise disposed to leave to him some freedom of discretion. You may get a cut-and-dried representative who will answer political questions as if they were his catechism, and will go, with all the fine powers of a parrot, wherever you like to send him. I speak of men in general, and not of those who are rare exceptions. Mr. Raikes seems to think that at a very early period of life he ought to understand the whole wide range of English politics, and be a perfect master of all these vast subjects—nay, not only a master of them, but in a condition to smite every other man with denunciation. I say this, that if he can get to that condition of mind by the age of twenty-five, what a prodigy of knowledge and of wisdom he will be by the time he is fifty or sixty! And I really do think that, if Mr. Raikes's education advances in future years at such a rate as he appears to think it has advanced heretofore, it would be very hard to tell to what enormous dimensions—I mean morally—he may not swell in future times. But that is not the lot of ordinary men. Some degree of trust is what your representatives must

ordinarily ask of you; trust the young man peculiarly demands; and if you look back over the long line of statesmen in this country who have on the whole been the leaders of opinion, Mr. Pitt, Mr. Canning, Lord Macaulay, Lord Palmerston, Lord Russell, and the rest, you will find they are all of them men who have been elected in early youth upon that principle of trust. Having honest English minds, and leading their political life in the light of day, and enjoying from day to day that inestimable privilege which we do enjoy of the free comments of our countrymen in general, and the press in particular, upon all we say and do, rely upon it that, with these advantages, when the conscience and character are right, the result will be right enough too. The mind will open out under the teaching of experience, like the flower under the rain and sun; and from those you have sent to represent you in youth, you will see spring up by degrees in well-sustained succession the men who are to make the name of England respected abroad, and to promote at home the happiness of the people. Now, gentlemen, up to what point do you suppose that my advice has been given to my son with regard to all these questions? I have advised him frankly to declare himself among you as an adherent of Liberal principles—not to measure too nicely or too stringently the application of those principles, but to take the principles themselves. And what do I understand by the Liberal principle? I understand, in the main, it is a principle of trust in the people, only qualified by prudence. But by the principle which is opposed to the Liberal principle, I understand mistrust of the people, only qualified by fear. Perfect honour, perfect sincerity, may exist on both sides, but the dominant idea I understand as I have given it. And why do I make that recommendation? Because I look back over the history of the last fifty years, that is, since the peace of 1815, and I mark to myself the change which has taken place in the condition of this country. Those of us who are old enough to recollect that period have been the witnesses of that change, and all others have the means by inquiry of judging of its extent. What was then, in and about 1815, the condition of the masses of this country? Their food was shortened by unnatural and artificial laws; and those very laws which made their food dear and scarce, made also scarce the employment by which their food was to be paid for. The natural and necessary consequence of such legislation was widespread discontent. And how was discontent encountered? It was met, perhaps of necessity, by laws for repressing the range, and diminishing the action, of personal liberty, and for making more severe the penalties against those who might seem to manifest disaffection. The consequence was serious indeed for that great and venerable monarchy of England, which I trust we shall hand down to our children stronger and healthier than we received it from the immediately preceding generation. Some forty years ago, the ancient foundations of that monarchy were sadly weakened in the hearts and minds of the people. But now a different tone has come over legislation. Another spirit guides the deliberations of Parliament. Parliament has striven to extend franchises, to mitigate penal laws, to improve and enlarge education, to make justice acceptable to the people and the law respected, to remove every occasion of collision and conflict between classes—all these things, and many more of the like description, make up the chapter of the legislation of the last five-and-thirty years.

And not only this, but in another great chapter of politics—I mean the foreign policy of this country—they have endeavoured, while observing every international obligation, honestly to extend the hand of sympathy and friendship to free institutions throughout the world. Now, by whom is it that this change has been brought about? Has it been brought about by those whom Mr. Raikes asks you to support? [Cries of "No!"] No, gentlemen, it has not. It has been brought about mainly by the direct action of the party termed the Liberal party, while in possession of the government; and partly also, I may be permitted and I am in justice bound to say, partly also by the example and the exertions of men like Mr. Canning and Sir Robert Peel, whose minds were too large for the contracted space within which they found themselves confined, and who, because of the benefits they conferred upon their countrymen, had the misfortune to lose the confidence of their party. But the party of which they lost the confidence is that very party which Mr. Raikes invites you to support. Now I do not deny, on the contrary I rejoice, that in that party there are not only many honourable men, but many noble, generous, upright, intelligent, and enlightened men; but of them as a party, it is not what I say but what history has recorded, that the great and beneficial changes which we have seen, which have rendered our people more happy, our laws more respected, and our institutions more secure than those perhaps of almost any other people in the world—are changes which have been made not by the agency, but generally in opposition, to the endeavours of that party.

Now, gentlemen, I have detained you very long, and I do not think there is any reason why I should detain you longer; but, if it be agreeable to your desire, I will say one word upon a subject which I know interests you, and on which I heard the remarks that fell from my son —I mean the subject of the franchise. Now, gentlemen, as far as I can understand the position of that question in this city, it is very peculiar; and the constituency of Chester, if I am rightly informed, is very differently composed from the constituencies—I mean the town constituencies—of the country in general. As I understand the matter, out of about 1900 or 2000 votes in Chester, at the least about 900 are supposed to belong to the working class: that is to say, on a moderate estimate, not very far short of one half of the whole. Well, now, when we look over the country at large, so far is it from being true that one half of the whole constituency is composed of the working class, that the working class only forms an exceedingly small, and a scarcely appreciable, fraction of that constituency. It is very difficult to estimate the fraction exactly, and I will not pretend to do so; but I believe that if we take the whole constituency of the country at about a million, some think that the working men comprised in that million do not much exceed 50,000, and I believe hardly any one thinks they come up to 100,000. That, in my opinion, is a very small portion of the constituencies to be composed of working men. I frankly own to you, gentlemen, that I am against all sudden, violent, and sweeping changes. The characteristic of our country is to go forward surely and steadily; but I confess I lament that the mind of the country is not more fully ripened than at the present it seems to be for a sensible extension of the franchise to the working classes. I am not speaking of Chester. The case of Chester, and all such cases, may require consideration from another point of view. I am by no means sure that a better system will not be found for Chester (prospectively, I mean) than

the present system, which practically, as I understand, admits the working man only in the character of a freeman. But that is quite another question as to the manner in which, the title under which, the franchise is enjoyed. Evidently no one can deny that the working men have a very ample share in the constituency of Chester. Certainly no Government, and no member of any Government, with which I have been connected, would have ever thought it wise to introduce laws which would at once hand over the majority of votes in the country into the hands of working men. Now I say that not through distrust. I have had thirteen years' experience of a working men's constituency in the borough of Newark. It was not a very large constituency, for it contained about 1600 voters, and out of them 1100 or 1200 were working men. Those working men never dreamed of voting together as a class, or setting up a separate interest. But still I say, let us go surely and steadily. Those scot and lot constituencies have been extinguished, and I am very sorry for it. I wish they had continued. It was a good old sound English franchise, and it secured this effect,—that if there were questions in which the working man had a peculiar interest in those boroughs, at any rate they had, when occasion arose, the means, if they thought fit, of making any peculiar wants and wishes clearly known. And that, I think, was not a bad thing, but a good thing for the constitution. Now we are in this singular predicament. I believe that a smaller portion of working men enjoy the franchise now than enjoyed it thirty years ago, after the Reform Bill was passed. But if the electors of the working class have diminished, what has happened to the working class itself? Has the working class diminished? No, it has increased. Has the condition of the working class deteriorated? No, it is amended. Is the education of the people worse? No, it is infinitely extended and improved. Is the loyalty of the working class more doubtful? No, it glows more fervently than ever. Is their feeling towards the Government a feeling of greater hostility? No, as I have the best means of knowing, so far from mistrusting the Government, the Government is the agent that they like to choose for the guardian of their savings. Yet one word more: has the character of the working class been specially tested in that interval? Yes, it was tried in the fire of affliction,—in that fire of affliction which wasted Lancashire, when, in a day, the subsistence and employment of a people were swept away, and yet public order was secure, the laws were revered, respect was paid to every more fortunate class, want was endured with silence, patience, and heroic fortitude. I must say that proofs of competency such as those ought to have some influence on the spirit of privileged classes, and to induce them, not as a matter of conflict and of controversy, not from a regard for abstract theory, but upon grounds the most strictly practical, and with a view of strengthening the laws and institutions of the country, to make some sensible, ay, some liberal, though some safe extension of the franchise. It would be utterly futile to enter now into the question what should be the form of that extension. I cannot but agree that it would be most wise to include in that extension all those who, now being of a class and of a property equal to the possession of the franchise, are notwithstanding excluded from it. That is a measure which has received a name from a very distinguished gentleman, Mr. Disraeli. He calls it a lateral extension; I would rather call it an extension side-ways, and that is a name which abundantly describes its meaning. But the opinion

of her Majesty's Government has been and is, that, though that is very good, it is not enough, and that there ought also to be, speaking of the country at large, an extension downwards, one the effect of which should be that in the borough constituencies in general the working classes should exist as a sensible fraction or proportion of those constituencies, and that their voice should be more freely and fully heard in the Houses of Parliament, in order not only that their interests may be more fully represented in Parliament, but that their feelings may be yet more warmly enlisted in the welfare of our common country.

And now, gentlemen, shall I say a word to you about the Dee and Mersey Railway? That is a great descent, is it not? But I have not the smallest objection to discuss the Dee and Mersey Railway, or any other subject whatever. I have a very clear conscience about the Dee and Mersey Railway; for my interests are the same as yours. I am the owner of what a little man may call a considerable frontage upon the river Dee, but the whole value of that frontage depends upon the navigation of that river. It would play the mischief with me if that navigation was stopped: and therefore my interests are exactly the same as those of the city of Chester. And my agency, I may state, was very actively employed at the proper time to induce the promoters of that bill to place in the bill such clauses for the protection of the river, and the protection of the navigation, that I, as a person whose only interest in the property was an interest in the navigation, should be satisfied with. But, gentlemen, what has my son to do with it? Do you suppose I have been indoctrinating him with the rights and the wrongs of the Dee and Mersey Railway? The rule seems to me to be this: If a man's father has done any good, "Oh," you say, "that is the father;" but if a man's father has done any mischief, you say, "See, the father has done it: depend upon it the son will do the same." Well, but I hold exactly the contrary. And I say this, we have all got faults. I have plenty of them, and I want my son to avoid them. But if I have ever done any service, or been of the smallest use to my countrymen, I beseech him so far, and so far only, to imitate my example. I was going to say—I am member for another place, and he is member for Chester, but that is not true: however, I think it will soon be true, and I am confident that, if he be the object of your choice, it will be the desire and aim of his heart and life to be worthy of your favour; worthy, even in the promotion of those local interests, which are not the things for which you send a man to Parliament, yet which are of considerable importance, and on which you are entitled to be fully and fairly represented. He will be worthy, then, in his devotion to your local interests, and I am persuaded he will be worthy, in a yet wider sense, in a conscientious and enlightened attachment to those principles and that policy which have been proved, by the sure test of experience, to be alike calculated to develop the material resources of this country, to increase the comfort of those by whom the great business of British labour is conducted, to knead and bind together in unity the different classes of the community, to increase the name and influence of England abroad, and to contribute to every good and beneficent purpose for which Providence has given us a place in the family of nations.

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THE WAR AND THE PEACE.

When the bulky records of the war which has just been brought to a close, and of the wearisome negotiations which preceded it, shall have been submitted to the refining process that alone can convert them into history, the picture presented to the eye will be one in nothing more remarkable than in its novelty. In scarcely a single point does it agree with any former contest between the great powers of Europe. The forty years of peace which preceded it had done their work in many ways of which at first we were not conscious, and they determined in essential points the character of the sanguinary struggle, the commencement of which had snapped their thread.

And now, when we look back on the period in which we have lived, the wonder is not that the peace should have endured so long, but that it should not have lasted longer. For it was not by a general fermentation that it was brought to an end. It was not by the rival schemes of great monarchies, each contending for a favourite object. It was not by that conflict of principles which Mr. Canning prognosticated, of which we have had a sample in the partial outbreaks and contests of 1848 and 1849, but the fuller development of which is probably yet to come, and may lie in a very distant future. At the door of one power only the whole original cause of offence must be laid. Turkey, indeed, invited aggression by her weakness, and at the last moment precipitated the bloody issue without warrant. Her confederate Powers have been charged with causing, through indecision, what it is supposed that by an united and vigorous promptitude they would have been able to avert: but the original and essential cause of the war lies with Russia only; it was her folly and her crime to which she owes the punishment she has received, and to which nearly the whole world agrees in proclaiming that she owes it. The crime was want of respect for national rights; the folly was misjudgment of the respective means of aggression and resistance. Stern has the retribution been, and clear stands the moral.

The position of Russia in the East is of necessity commanding; and her destinies there, unless sedulously spoiled by herself, must be magnificent. She is the natural head of Eastern Christendom. Even the most narrow-minded Englishman, who looks with satisfaction on the process of absorption that we carry on in India, must admit that Russia may find similar apologies for her aggressions on her Asiatic frontier. She is, like England, in contact with Asiatic governments and peoples, over whom she, like England, has an ascendancy founded in superiority. Face to face with Turkey, she cannot lose, though we may, the recollection of all the curse, the misery, and the shame to Europe, that that name conveys. She believes, and all reasonable men believe, that the hours of Mahometan ascendancy over Christians in European Turkey, which is not founded in superiority, but coupled with miserable inferiority, are numbered. If, as is to be desired for the well-being of mankind, the Mahometan power shall be peacefully supplanted and replaced in that quarter by Christian energies, Russia, un-

less it be by her own selfishness and folly, has nothing to fear from such a process. If she pursues a just and liberal policy towards the Christians of the Levant—if she gives effect to one-half of the interest she professed on their behalf during the late struggle—if, renouncing all ideas of ambition, she does simply what the whole world will say she is justified in doing, she will, while maintaining all the obligations of strict justice towards Turkey, acquire the strongest claims to their gratitude and good-will, and will lay deep in those sentiments the foundations of an influence legitimate in its quality, and at the same time paramount in its force.

The necessarily aggressive character of the Popedom must for ever prevent any permanent union between the Christians of a Byzantine empire belonging to the Greek communion, and the great Roman Catholic States of Austria and France. Prussia is far removed from them, both morally and physically. England is under no natural disqualification for a strong and cordial friendship with a Christian state at Constantinople; but the spirit of Protestant propagandism, and the wonderful union of bigoted tempers with latitudinarian opinions, which is more common probably among us than in any other country, has reached a height which may disable us, almost as completely as the Roman Catholic States are disabled, from friendly functions towards the Eastern Christians by their Romish interests. Nor do we feel confident that our statesmen of the day, dependent as they are in so great a degree upon the emotions that sway the electoral constituencies, will surmount these unfavourable influences; although by so doing they would not only discharge a debt of justice and charity to our Eastern brethren, so long and so cruelly oppressed, but would likewise greatly enhance the means of resistance to the unsleeping ambition of the court and Church of Rome.

Here, then, are some of the advantages of Russia. She has nearness. She has the strong sympathies of belief and communion in religion. She has superior moral strength and political organisation. She is the head and front of by far the most formidable antagonism to the Papacy that Christendom in its actual state supplies. And further, she appears to be under no necessity, unless she should unwisely imagine one for herself, of associating her interests with those of European oppression or despotism. True, the form of her government is absolute; but probably there is no single state in Europe, the organization of which is better adapted to the wants, or more agreeable to the wishes, of the people. Absolutism in Russia should rather be compared with absolutism in India, than with absolutism in Germany, France, or England. A government in circumstances like those of Russia has nothing to gain, but everything rather of honour and character to lose, by mixing with, and so becoming responsible for, the affairs of sovereigns like the King of Naples or the Pope. Between the latter and Russia there never can be a durable friendship; between Russia and Austria little love is, for a good while to come, likely to be lost: why should there not be friendly and genial relations between Russia and Sardinia? Many things would surprise us more, and nothing could grieve us less.

From the view of that bright future which prudence and right principle may offer to seventy millions of men under the sceptre of the Czar, we turn to contemplate the sad records of misdeed and suffering with which the last period of the reign of Nicholas I. was clouded.

And yet, a moment to observe that it had been a glorious, though not a spotless, reign. Let those who condemn the memory of Nicholas for his conduct in 1853, not exclude from their memory his conduct in 1848. In that period of disastrous disclosure and miserable retrogression, Nicholas

was the immovable stay and pillar of continental Europe. Not only did the tide of revolutionary folly break upon that rock, but the sovereign who alone among those great Powers remained strong, declined to profit by the misfortunes of the weak, or to extract any individual advantage from the general confusion. His moral and political attitude at that period harmonised with his imperial, his almost superhuman presence. No man of those who saw him when he visited England in 1844, who stood within the shadow of his towering form and beneath the lightning of his eye, could then have failed to feel how completely he embodied the idea of a majestic and likewise an awful kingship, or can since have failed to retain in freshness impressions so lively and so deep.

In the beginning of 1853 a minister had succeeded to power in England, on whose pacific wisdom Europe placed the greatest reliance. And a sovereign ruled in France, who, having attained to power by the most questionable means, and professedly founding law and order upon the ruins of liberty, publicity, and public right, had to consider before all things the means of consolidating the shifting sands on which he stood. Nicholas had bestowed on him a most royal insult; that kind of insult which inflicts a deep wound, and yet is incapable of being treated as more than a slight. Instead of addressing Louis Napoleon as "*mon frère*," he had commenced his letter with the contemptuously civil words, *mon bon ami*. But it is only just to say that no trace of vindictiveness has ever been detected in his conduct towards Nicholas. Nor does it appear that he is a vindictive man. Content with obtaining power, and securing it after it has been obtained, he seems no more tormented with ferocious passions than he is hampered with self-denying virtues.

In 1853 the question for him was, how to secure his footing on the giddy eminence he had reached? Different states of European affairs might have offered him different modes of proceeding, with this aim in view. But neither the liberalisms nor the despotisms of Europe were in such bloom at the moment, as to hold out unequivocal attractions. The injustice of Russia played his game for him. It could only be put down by an European combination; in such a combination, the influence of Napoleon must be measured by the relative strength of France; and in no European combination whatever could that strength be less than first-rate, if not indeed the very first of all. When Governments and nations were struggling in a common cause, distinctions between the internal rights and position of one sovereign and another could no more be remembered for any practical purpose, than the different dresses of firemen from different offices engaged in putting down the same conflagration.

It is commonly supposed that Nicholas reckoned upon Lord Aberdeen's known love of peace, and upon the old antipathy of French and English, to shelter him in the pursuit of his aggression, and that his plan was formed from the time when he deplored to Sir Hamilton Seymour the condition of the "sick man," and adverted to the probable termination of the disease.

We do not feel driven to the painful conclusion that his assurances of that date, "on the word of a gentleman," were deliberate falsehoods. The time has now at least come when justice may be done without fear, and an attempt made to distribute praise and blame with an impartial hand.

It should then be recollected that France, beyond all doubt, began the Eastern quarrel. Probably in pursuit of that policy which had attached the ultra-Romish party so closely to his interests, Louis Napoleon was busily engaged at the beginning of 1853 in prosecuting, by an imperious

and urgent agency, his demands for concessions to the Western Christians at the expense of the Eastern, with respect to the Holy Places. It was this aggressive movement which first brought Russia into the field, when she found herself on the same side as England. Nor do we find it possible to decide, with such lights as have yet been thrown upon the subject, whether the demands of Prince Menschikoff, considered for the moment apart from the gross rudeness with which they were pushed, arose from the passion of the moment, or from a determination to take securities against the renewal of attempts like that so recently made by France, and with difficulty repelled. It is plain that they were at variance with the assurances given by Count Nesselrode to the British minister, who was told that, the question of the Holy Places being settled, there remained nothing but secondary matters, *affaires de chancellerie*, to adjust. It is not so clear whether this proceeding was the conscious and deliberate act of presenting a pistol which had been prepared and loaded for the purpose. And it must not be forgotten that when the Porte in agony appealed to the representatives of the Four Powers at Constantinople, for their advice upon the question whether the answer to Prince Menschikoff should be aye or nay, they declined to interfere, and replied that in a matter *qui touchait de si près la dignité de la Sublime Porte*, they must leave the Sultan to judge and act for himself.

The history of this strange deliberation is not known to the world; it is believed that the assurances and exhortations of Lord Stratford alone produced the negative which his colleagues would not proceed together in recommending, but we are not able to say upon whom in particular ought to be charged the responsibility of this fatal indecision.

It was the first of the strange miscarriages and mishaps, which marked the course of the year. There never was a war which, if judged by its immediate causes, so clearly ought not to have taken place. It is, of course, quite another question how long it could honourably have been averted, and whether it was not better that it should occur in a condition of European politics which made effective resistance to Russian aggression practicable and comparatively easy, than deferred for a short time with the likelihood of extending its sanguinary course over a far longer period. It was in no such view of ulterior policy that the war was commenced; but the men who began it may have been instruments in the hands of Providence for merciful purposes which they did not see. Indeed, any complete comprehension of these larger combinations of human affairs lies so much beyond our short-sighted range, amidst the crowding events of the day, that, like prophecies, they seem to be intended to fall within our knowledge only after the fact. We must be content to survey the more limited circle, within which only we can read the lessons of duty in the courses of public emergency. So regarding events, we cannot fail to see that without this strange recusancy of the Four Powers by their ministers at Constantinople, the war would not have been possible. For if they had counselled submission, Russia would (with too good reason) have been content, and would, even on the worst suppositions respecting her, have retired to bide her time. On the other hand, if refusal had been recommended, there is not a doubt that Nicholas would have declined to pursue his rash endeavour in the face of united Europe, under pledge to support the decision it had advised.

On this occasion Turkey, already injured by the aggressor, had great reason to complain of her allies. Everybody, however, even Nicholas himself, was wronged in turn. A note was drawn up at Vienna, under

his business to interfere and redress the unequal balance; an honourable sentiment, but one which requires to be most guardedly applied to political affairs.

As, first, without the refusal of the four ambassadors to advise on the answer to the Menschikoff demand; as, secondly, without the blunders about the Vienna note; so now, thirdly, without the premature and most culpable declaration of war by Turkey, the diplomatic quarrel could not have ended in an appeal to arms.

The governments of England and France, earnestly bent on maintaining peace, had, notwithstanding the failure of the Vienna note, and of the subsequent propositions of Olmütz, dispatched a new plan of adjustment to Constantinople in the month of October. But it only arrived after the declaration of war; and its scope being simply the accommodation of diplomatic differences, it of necessity became abortive.

While, however, the public sentiment misinterpreted the declaration of war by Turkey as a gallant appeal to the ordeal of battle against oppression, and only saw in it courage taking the place of exhausted patience and long-suffering, the English and French governments had at this period too well learned that their difficulties were with the ally not less than with the antagonist. They determined upon bringing to a head this prolonged dispute, by one last effort to quench the flame which it was evident must, if not quenched, become a conflagration. They prepared a new plan of adjusting differences. Like previous plans, it did not cut off, but only limited and defined, the Russian rights with regard to Greek Christians; it ratified the old treaties in general between Russia and Turkey; it provided that the Turkish engagements should be with the Five Powers, and not with one only. Before this scheme reached Constantinople, Lord Stratford, aware from general instructions of the views of the French and English governments, and justly displeased with the declaration of war, had vigorously bestirred himself in the interest of peace, and had himself framed a scheme substantially corresponding with the one which was simultaneously devised at home.

And now came another most strange turn in this eventful drama. Turkey, which had in the autumn been so headstrong and reckless, accepted the scheme of Lord Stratford; which, if sufficient, was no more than sufficient for her security, and was in no sense dishonourable to Russia. Russia, which had shewn pacific dispositions in the summer and autumn, though she ought to have been warned by her ill success on the Danube against Omar Pacha and the Turks, and by having witnessed the union of France and England through a protracted, and most difficult and anxious course of negotiation, now assumed a tone of insolence exceeding all that had gone before. She maintained her demands (we have now entered the year 1854) respecting the Greek Christians; she added to them an imperious requisition for new and restrictive laws in Turkey to control the reception of refugees and strangers; she refused any negotiation, except with Turkey alone; she required that it should be conducted either at St. Petersburgh, or else in the Russian camp. And thus was the great diplomatic controversy at length brought to the sharp and bloody issue of the sword.

In what has preceded we have attempted rather a sketch than a condensation, and what follows must be in still slighter *outline*. But at this point we must note the drawing back of the German Powers. At the suggestion of Austria, and with the approval of Prussia, the two great States

of the West required Nicholas to withdraw from the Principalities, under pain of war. Austria and Prussia promised to support this summons; and they did support it; but much as Lord Dunfermline on a noted occasion, when Speaker of the House of Commons, addressed Mr. O'Connell to this effect: "Mr. O'Connell, I have received the orders of the House of Commons to reprimand you, and you are hereby reprimanded accordingly." This was in the month of March, 1854.

Here is a fourth of those strange conditions precedent, without which the war could not have taken place. We do not now inquire what amount of excuse the German Powers may have to make for themselves. For them the case was one of immediate danger: by a concentrated effort against either of them Russia might probably have inflicted speedy and heavy damage. They had jealousies of one another: they might suppose that France and England would ungenerously take advantage of their local position to throw upon them the brunt of the contest. Nor was either of them at that moment well prepared for war. Such may be their pleas; but we are far from seeing in them a justification. It was open to them to bind France and England to their support, and to stipulate for the time that might be necessary, if time was what they wanted. Neither individuals nor states ought to affect to play great parts, without being prepared to run the risks and to sustain the burdens they entail. Austria and Prussia egged on the Western Powers to war, but themselves flinched from drawing the sword. An hundred thousand lives, and two hundred millions of hard money, represent the cost at which England and France have interposed for the defence of Turkey against Russian aggression; but no cost which national character really requires, which, after a full scrutiny and deliberation, is directed to the discharge of a real public duty, can be too great: and so far as regards future peace, good-will, and mutual respect between Russia and the other Powers, we believe there has been laid an infinitely broader and deeper foundation for it in the case of those whose sword was drawn to support the word that they had spoken, than for others, not less eloquent than they in the parliament of Europe, but to whom Russia might have addressed the reproach of Drances,—

> —— "replenda est curia verbis
> Quæ tuto tibi magna volant, dum distinet hostem
> Agger murorum, nec inundant sanguine fossæ."

But whether they had fair pleas or not for their inaction, this at least is clear, that had they at this last moment given with the hand the support which they gave with the tongue, Nicholas would not have persisted. As regarded Austria, he counted, we presume, upon its pacific temper, and upon gratitude for a throne rescued from revolution, and an empire from dismemberment,—a sentiment which did not justify Austria in renouncing the performance of her duty to Europe; as respects Prussia, he was nearly connected with the king, he was conscious of the natural ascendancy of a powerful mind, and he knew his man.

In the end of March, war was declared by England and France; and it having become pretty plain that Russia would be unable with such force in the field against her to cross the Balkan, or even hold the south of the Danube, Austria and Prussia screwed their courage up to the point of concluding a treaty which provided that if she did so, they would make it a *casus belli;* an emphatic acknowledgment of the justice of the cause espoused by the Western Powers, and not unimportant at the time, when

the chances of war are taken into view, as a buttress in the rear to their military efforts.

After the action of Sinope, it had been determined to send the English and French fleets into the Black Sea for the protection of the Turkish coasts and flag; and it was this decision, which, long before the declaration of war, entailed the consideration of the question of military support. A naval force in the Black Sea would be caught in a trap, and obliged ultimately to surrender at discretion, if a hostile power should by land operations become master of the Bosphorus, the Dardanelles, or both. It was therefore decided to occupy the isthmus of Gallipoli, and to put it into a state of defence: and the gallant Sir John Burgoyne, our Inspector of fortifications, left England to contribute his part to the common object; while, with universal approval, Lord Raglan was selected to be the Commander-in-chief of the expeditionary force. It was intended that the strength of it should reach thirty thousand men; and the quotas of the two Powers were fixed according to a proportion proposed, we believe, by the government of France,—namely, two-thirds for the French, and one-third for the English.

And here one word by the way, both to those who may be disposed to depreciate the military character of England in general, and to that probably more numerous class who, with an unbounded faith in it, are nevertheless inclined to deplore the supposed tyranny of our economical tendencies, which had been allowed, it is said, so to run riot as to leave us on the breaking out of the war without a military establishment worth naming.

We presume it will be admitted that France had not been thus madly economical during the peace, and that, with her people the most military in Europe, her powers at the breaking out of the war may be taken as exhibiting a sample of what can be done by her, and of much more than can fairly be expected to be done by us on such occasions. Now we doubt whether in the first ten months of the year 1853 the forces of France in the East ever exceeded that proportion to ours of two to one, which she had proposed; nor, with the immense aid she received from us in the way of transport, do we feel sure that proportion would ever have been exceeded, but for the heavy, and in great part needless, losses which the English army suffered from disease in the winter of that memorable year. But more than this: there can be no criterion of available force, at a given date, more fair than that which is brought into the field for the purposes of actual warfare. Now by the figures which M. Bazancourt has published, it appears that the English fought the battle of the Alma with as large a number of men as the French. Our own accounts, we believe, make our gross number somewhat larger. But when it is considered that we had eleven hundred horse at that battle, while the French had a mere handful, and that the conveyance of one cavalry soldier may be taken as equivalent to, perhaps, ten infantry, the disparity really becomes considerable. Nor is there reason to believe that it was due to our superior maritime resources: the market of naval transport, open to us both, had not at that time been drained, though in the winter the pressure upon it became extreme.

The first intention, however, of the military expedition was to support and secure the fleets in the Black Sea; and it was with reference to the expenditure which such an expedition would require—considerable in itself, though infinitely short of the demands which were to follow—that Par-

liament was asked so early as the month of March, 1854, and before war had actually begun, to double the income-tax for the next six months. As events proceeded, the scope of the military measures was progressively enlarged. From the occupation of Gallipoli they passed to the defence of Constantinople, and then of Bulgaria. With this view, the descent at Varna was effected; and doubtless that descent had to do with the retirement of the Russians from before Silistria, and from the Principalities, which were occupied by Austria on behalf of Turkey in their rear. In the anticipation of such an event as possible, the British Government in particular had considered beforehand the advantages of an attempt upon Sebastopol, and had weighed them, as well as imperfect information permitted, against its risks. When the intelligence that Silistria was safe, and the Russians in retreat across the Danube, reached this country, it became their immediate duty to consider what use should be made of the powerful force in the East.

At this day the sunshine of success is still sufficiently either felt or remembered to silence criticism upon the momentous question of the origin of the expedition to Sebastopol. But twelve months ago the case was far different. Then we were smarting under the remembrance of an 18th of June so different from that of 1815; and the gloom of the past winter was not yet out of view. Then everybody said, "The greatest fault was in going to Sebastopol at all: but it is too late to discuss that now." Alas! justice is blind indeed among men in other senses than that symbolized by her bandage.

The British Government never attempted to transfer to other shoulders than their own the responsibility for the invasion of the Crimea. They desired it, and they ordered it,—subject to two, and only two, conditions: one, the consent of France, as a principal in the question; the other, the discretion of the generals, who were not to undertake it if in their judgment the military reasons against it were conclusive. Neither the Emperor of the French and his Government, nor Marshal St. Arnaud, had been what we may term forward in their military views, with the single exception of the rash and disastrous movement into the Dobrutscha; but the cordiality of alliance and co-operation which had endured so much was not on this occasion marred by difference of opinion; France consented to the proposal.

The objections which were taken, and may again be taken, to the expedition, were three,—want of information, want of the supplies necessary for an invading army, and the lateness of the season. As regards this last, there were unhappy delays in effecting the embarkation, but the subsequent facts proved that the expedition was not even at the time of sailing too late; far less was it too late for the two governments to order it to sail when they did so order it—namely, in the end of June. As regards the want of supplies, the armies were composed of the flower of the French and English forces, and were supplied abundantly with field and siege artillery, (but the siege-train of the French was dispatched later than was desirable, though in time for the actual sailing of the expedition,) with clothing, with provisions, with stores of all kinds, and with unbounded means for the purchase of transport, while agents scoured every available portion of the shores of the Mediterranean on the same errand. And it must also be observed, that there is a modern fashion of estimating the wants of armies, which not only exceeds all former precedent, but which, if seriously put to the test of practice, bids fair to render extended military [illegible] most

countries impossible. In any case, the very nature of the invasion, having for its end the capture of a fortress on the sea, brought this question within moderate compass: nor would any competent person now dispute that sufficient transport might with ease have been furnished to the British army as it was to the French army, before Sebastopol, in the winter of 1853–4, though there is still, perhaps, a difference of opinion upon the question who is to blame for the deficiency.

As to want of information, the British Government knew that the climate of the southern and south-western strip of the Crimea was good; that the land fortifications of Sebastopol were inconsiderable; that the fleet was inferior to the allied naval forces; that the Russian communications were slow and costly in the highest degree; and as to the amount of their force in the whole peninsula, they had no reason to place it above seventy thousand. Subsequent experience has proved that, if they had waited for fuller information as to the interior of Russian affairs, they might have waited until the day of doom. Acting on the knowledge they had, did they act irrationally in concentrating upon a single point of a country so defended a force composed of fifty-five thousand of the very finest troops in Europe without reckoning for anything at all the auxiliary corps of Turks? It is not now questioned that they fought the battle of the Alma with greatly superior forces; and yet to make up the 36,000 or 38,000 Russians whom Menschikoff commanded on those famous heights, he drained Sebastopol as far as it is known, of all but three thousand men: and in days of greater moral daring, and less fear of responsibility, we apprehend that few British admirals, commanding so powerful a steam force, would have hesitated at the moment of the Russian defeat, without the French, if need had been, but with the French as it would unquestionably have proved, to sail into the open harbour, and taste and try the capabilities of the town and of the Russian sailors.

The great historic interest which must always attach to the invasion of the Crimea has induced us thus briefly to discuss the question whether the chief authors of it deserve on that score the approval or the displeasure of their country; as respects what remains, we shall avoid as far as may be all argument, either of praise or blame.

Let us glance for a moment in passing at the changes which had now passed over the face of diplomacy.

When once the sword was drawn, the Governments of England and France thought it fit to reconsider their position and demands. They were not parties in a suit, but were conservators, in the general interest, of the peace of Europe. In order that neither might be tempted to swerve from this path of lofty integrity, the two powers had, upon resorting to arms, bound themselves by a solemn instrument to take no private benefit from the operations of the war. Until it actually began, they properly limited their views to so much as would suffice for relieving Turkey from the immediate danger that threatened her, without attempting any organic change in her relations with Russia. Now, they determined not merely to erect a dyke against the flood, but to alter the levels; to elevate Turkey by an incorporation as complete as might be into the great European family, and to destroy the vantage-ground from which Russia had directed her operations. The means contemplated were partly of a character involving disparagement or detriment to Russia, and partly such as promised benefits to all parties concerned. The political and social inferiority of Christians in the Ottoman empire was to be removed by a new Magna Charta. The

commercial freedom of the Black Sea was to be secured, and its benefits multiplied, by placing the navigation of the Danube under European guarantees, instead of leaving it to the hostile guardianship of Russia. The fleet of Russia was declared to be, in the absence of any counterbalancing force, a standing menace to Turkey; and it was announced that this maritime preponderance must cease. The rights which Russia had acquired to watch exclusively over the relations between the Danubian Principalities and the *suzerain* power, and likewise (lastly) those stipulations of the treaty of Kainardji, which by a wrongful interpretation had become the cause of the existing struggle, were to undergo essential change. Of these five great objects, the four last required the consent of Russia. She had refused it on them all; and it was in order to extort it that the Crimea was invaded. It was believed that a Power which could not but be sensible of the injustice of its proceedings might yet be brought through punishment to reason, and that along with its confidence in invulnerability would disappear its persistence in wrong.

These calculations were more than verified. The four points, the whole substance of which had but just before the invasion of the Crimea been rather contemptuously rejected, were, when later in the year they had received their formal shape, one and all accepted without reserve by the Emperor of Russia, and became the basis of the celebrated but ill-starred negotiations of Vienna in the spring of 1855.

The history of the siege of Sebastopol has yet to be written. We apprehend that if it could find a second Homer, it would vindicate its claim to be even more than a second Troy. There are whimsical resemblances between the first and the last of the great sieges of the world; these particularly—that both were conducted by means of maritime force against a power defending itself only by land, the party acting on the defensive was in both cases the aggressor, and in neither was the siege conducted by investment, but in both by sheer fighting between the armies. But Sebastopol has not yet found its bard or its historian. The English productions upon the subject have for the most part been trumpery in a high degree. Of our own side they have told us little; of the Russians they had nothing to tell. The information possessed by the army seems to have been less at the close of the siege than even that of the Government before the invasion. The secrecy maintained with respect to the Russian interior was little less than miraculous, and bore a yet stronger testimony than even the passive valour of the soldiery, to the strength of that spirit of mingled nationality, reverence, and discipline, which binds together with an astonishing compactness the heterogeneous mass of the subjects of the Czar. The only work on the Russian side which we have seen is entitled *Unter dem Doppel-Adler;* it professes to be, and we conceive may very well be, the production of a German surgeon in the Russian service. It is by far the most natural, lively, and effective, and at the same time the most particular and historical, record that we have read. The horrors of the last months of the siege, and their ever-thickening gloom, as it is there described, is beyond what had been even faintly surmised in this country; but it unfolds a wonderful and noble picture of heroic endurance. It is disfigured by a bitter hatred of Englishmen: in every other respect it seems to be a very valuable work, and even in this it might not be without its use. From it we learn the first dismay of the Russians on the landing of the Allies, connected with a belief that they were possessed of artillery

and small arms of resistless power; the dissipation of this feeling by the actual conflict of the Alma; the history of the bloody defeat of Inkermann; the terrible effect of the second bombardment in April, 1855, and of those which followed; the efficacy of the capture of the Sea of Azof in restricting the supplies of the garrison; the gathering presage of ultimate failure from the fierce onsets of the infernal hail, and the fact that the evacuation had become an absolute necessity, for which the assault afforded a sort of cover. Of course we cannot pretend to vouch for the authenticity of the narrative, but it confirms on our mind the impression that ear has not yet heard nor heart conceived one half of the havoc and devastation, the tears and groans, the efforts, agonies, and struggles, the profound heroism and devotion, which mark this most memorable and most wonderful conflict, on the side both of the Russians and of the Allies. The statistics of the case, when they come to be fully reckoned, will, we believe, exceed everything known in the history of the world as respects the destruction wrought, whether in men, money, or material of war. A thousand human beings by the day were, it is no exaggeration to calculate, served up during that siege at the grim banquet of death; not all in fight, not all on the spot, or even in the Crimea, but at, or by, and for the siege, in one shape or another. The other events of the war deserve no great notice, if we except the defence of Silistria, under the auspices of Englishmen, and the yet more brilliant and signal defence of Kars, under Sir W. Williams,—a man in whose name and fame every Englishman has now a fraternal interest, and on whose behalf we need only give utterance to the wish that his career in peace, and in parliament, may be worthy of the honours he, with his brave companions, has won in war. Just credit should also be given to the skill with which the attack on Sweaborg was conducted by the admirals in the Baltic. By a serious exaggeration, we fear due to the sanguine temper of our neighbours across the Channel, it was originally reported as the destruction of Sweaborg; and the collapse of the exaggeration, which had made the truth seem tame, has defrauded a skilful naval operation of the praise which is its due.

The military operations, however, must not be mistaken for the purposes of the war; they were means for the attainment of those purposes. The purposes were defined in the four points or bases drawn up in the close of 1853, and accepted by the Emperor of Russia. The business of the conferences at Vienna was to develope their necessarily succinct expressions into a full scheme of pacification.

It soon appeared that there need be no conflict with Russia about the Principalities, or the Danube, or the renewal of the old treaties; and that the only question of difficulty in that quarter was in what manner provision was to be made for the effective cessation of her naval preponderance in the Black Sea. England and France proposed that she should bind herself by treaty to keep no more than four ships of the line, and a regulated number of smaller vessels of war, in those waters. She protested against a limitation by treaty with the Powers of Europe, and finally proposed that it should be in the option of the Sultan to bring his allies by sea through the Dardanelles and Bosphorus when and in what proportions he pleased, if he judged that his security required it, without giving to any one cause of complaint on that account. Austria proposed that, in addition, Russia should bind herself not to raise the strength of her fleet beyond the point which it had attained before the war; or, as an alternative, that Russia and

Turkey should in the first place settle between themselves, and should then propose to the Conference, the amount of force which they should engage to adopt as their maximum in the Black Sea.

The proposal of limitation which had been originally adopted by Lord Aberdeen's Government met with no favour either in Parliament or with the British public. The more it was considered, the more obvious it became that it was ill-fitted to be enforced as an ultimate and absolute condition of a peace, as being on the one hand an interference with what may be called the natural rights of sovereignty, and on the other singularly open to evasion; independently of the fact that in the particular case it would either have been an undeserved boon to Russia if the Straits were to be closed in time of war,—as sealing her up at her most vulnerable point,—or else, if they were to be left open, so gross an injustice, that the common sense of mankind would fully bear her out in asserting her rights of self-defence, and holding that such a treaty could not be meant to bar them.

But the question for the people of England was no longer that of limitation or no limitation. The agonies of the winter were fresh in their minds; they were exasperated by the obstinate resistance of the Russians. The Greeks before Troy—and never has the sentiment of military honour been better portrayed than by their Poet—were not ashamed to say, "Give us back Helen, and we will go home." We had already got our Helen: we had extorted from Russia at the sword's point the acceptance of the four bases which expressed the demands of Europe upon the refractory empire. But here was a squabble about the mode in which the preponderance of Russia should cease in the Black Sea. No mode could be perfect, none could be good; the one for which diplomatic England stickled, had perhaps as few approvers, as slight recommendations, as any. But the manifestation of feeling by popular England during the negotiations abundantly convinced diplomatic, or at least ministerial, England, that he who would be minister must not upon any terms retire from before Sebastopol. Lord John Russell, to his honour, recommended acceptance of the terms which were to be had, though, to his great detriment, he continued a minister after they had been rejected, until the public voice absolutely enforced his retirement. The rest of the Government, more adroitly guided, although they had originally determined not to make the surrender of Sebastopol a *sine quâ non* of peace, now trimmed their sails to the prevailing wind: with an immense amount of popular approval, they declared by the mouth of the First Minister that Sebastopol must and should fall; and fearful lest some further concession by Russia should make retreat impossible, they almost by force broke off the conferences of Vienna.

It is somewhat remarkable to observe the subsequent distribution of military glory. France appeared willing, though not eager, to make peace at Vienna. It was undoubtedly England which caused the continuance of the war; and the motive which impelled her was a regard to fame, both in Europe, and with some sidelong glance at India. But the grasp of Tantalus was futile; while glory fell to those who had not strained to catch it. Of Alma and Inkermann we had at least the principal share; on the 18th of June we shared the French disaster; but in the great and most important victory of the Tchernaya we had no more part than at Marathon: and though we do not doubt that the conduct of our gallant soldiers was in the final assault on the Redan, such as it had ever been—though they did not on that day lose one hair's breadth of their true glory, yet the glory which the world recognises, the glory for which we had prolonged the war,

came indeed, and came in abundance, but came not to us. Nay, more, Dr. Sandwith has borne his emphatic testimony, in his work on the siege of Kars, to this: that the name of Sebastopol has no force for the East, and is little known there; but that Kars has a celebrity as wide as the range of Eastern Mahometanism; that throughout that extended circle it is known that Kars was defended by gallant Englishmen, and that Kars surrendered to the Russian arms.

But though the distribution of renown had not latterly been such as Englishmen desired, the amount of military success was great indeed upon the whole. Not enough to satisfy England; on the contrary, her appetite for more was keen and undisguised; but—and this was of decisive effect—enough to satisfy France.

All her objects had been gained. The Emperor, instead of a doubtful recognition among the family of sovereigns, had obtained for himself, not only a complete acknowledgment, but a standing-ground so marked and powerful, that he might even be called the first personage in Europe. France was justly gratified with the prowess of her soldiers, and with the success which had rewarded it; justly unwilling, when she had so good reason to be satisfied with the present, to court the risks of the future. Nor was satisfaction her only motive: fear operated in the same direction. To raise twenty millions in 1854, and forty in 1855, she had contracted a debt of nearly one hundred millions sterling; three millions *per annum* were already added to the burdens of the country, and even the provision for the interest by new taxes was in arrear of the amount of charge accumulated: this evidently was a process that must soon exhaust itself. While England, on the other hand, had been stoutly, and even merrily, paying sixteen millions a-year in taxes towards the expences of the war, and had thus greatly kept down the additions to her debt.

Beyond all doubt it is, humanly speaking, to France that we owe the entrance upon effective negotiations, and the termination of the war. We owe to her, therefore, a glorious retrospect; a retrospect, which, if not all, in a military point of view, as respects the later stages of the passage, that our vanity could desire, yet is truly glorious when taken according to the measure and common course of human affairs. We look back upon a war which has been of first-rate magnitude, and which has also been short, disinterested, and successful. How much is comprised in these three pregnant epithets! how rarely in the history of mankind have they heretofore been combined!

The English Government had obtained credit and popularity by continuing the war in the spring of 1855. We are of opinion it was ill-deserved; but we have little doubt that it was in the power of Lord Palmerston, at the close of 1855, had he so thought fit, and that too either with or without his colleagues, to carry on the war still longer. But the sense of France was known. Desirous of peace, she was nevertheless prepared to continue the war, in concert with England, but on one condition only: it must no longer be the mere war of the Levant and the Baltic; it must touch the heart of Europe. And it is easy to conceive that the French people would have thought the crossing of the Rhine much more intelligible, and taxes for such a purpose much more endurable, than the war on behalf of the balance of power in which they had theretofore been engaged. The one was remote in its scene, refined, almost impalpable in its objects, above all, subject to the rigid law of disinterestedness and self-denial for its course and its close. The other, a war in Germany, would have been the reverse

of all these: and credit is due to Lord Palmerston for having embraced the alternative of peace, with its questionable popularity, rather than incur the risks and responsibilities of such a war.

As respects the actual conditions of the peace, they contain one valuable supplement to the terms that might have been had at Vienna; we mean the engagement not to fortify the Aland Isles in the Baltic. But in the great and vital parts of the question, namely, those which touch the East and the state of Turkey, we are not aware that it would be easy to shew their substantial superiority to the terms which might have been obtained in the spring of 1855, when not half the precious millions had been spent, nor half of the more precious lives offered up. As regards two important points, those of the Principalities and of the Danube, the arrangements are not yet concluded; but we are not able to state that any essential advantage is likely to be gained. The territory attached to Wallachia at the cost of Russia is so much gained for that country, and is so far good; but there is no reason to suppose this was altogether necessary for the freedom of the river, and it is said to have been an Austrian suggestion. With respect to the Principalities, it is understood that Austria and Turkey are the powers likely to hinder their receiving a satisfactory organization. As regards the Christian subjects of the Porte, we doubt whether the Powers at Vienna would have accepted terms so low and meagre on their behalf as those which the treaty of Paris contains. But then we have got the neutralization of the Black Sea. This is our old friend limitation with a new, and scarcely a handsomer, face: for under the name of police, vessels of great strength and armament may still be maintained; all the liabilities to maritime evasion continue, and on shore Sebastopol may be refortified. There is no obligation undertaken by Russia to renounce the use of her arsenal at Nicolaieff, whenever she may think it necessary for her interests to build there; nay, Sebastopol itself may be reproduced at once, in its town, its docks, its fortifications: nothing but its arsenal is excluded by the treaty. How long would it require for Russia to bring a great town, port, and fortress into the condition of an efficient arsenal?

But there is one great question that has never yet received a reply: What is to happen to neutralization in the event of war between Russia and Turkey? or between Russia and any Power other than Turkey? If the Straits are to be kept closed by Europe during such a war, then Russia has obtained a great and wholly unmerited advantage. If the Straits may be opened to any power at war with Russia, then it is plain that when Russia has reason to apprehend such a war, she may lawfully arm, and fling neutralization to the winds; and that when she chooses to say she has reason to entertain such fears, it will scarcely be possible for us effectively to question the assertion. Here is a short statement, then, of the dilemma: what is the escape from it? Our belief is, and it is a painful one, that all the great objects of the war were within our grasp when we thought fit unwisely to prolong it, and that the lives and treasure spent since then have been spent without warrant. But we are not the less thankful to have seen the scourge of war arrested at a period which, if later than it might have been if we had been wise, is much earlier than it would have been if our folly had not been checked in time.

Our main error probably lay in supposing that the end we have in view could be attained by the mere use of force. The truth is, it is in Turkey that the heart of the problem lies. In vain do we repel the wave that dashes

forward on the tide of to-day, if we can erect no permanent bulwark that will battle it to-morrow and thereafter. Turkey cannot always be defended by foreign arms. Ultimately, the countries that form her empire must find the means to defend themselves. The war recently concluded has been, though a great expedient, an expedient only. It has repelled Russian aggression for the time; it has had this further advantage, that it has proved to Russia that the sentiments of Europe are adverse to her imputed schemes, and that the forces of Europe may possibly be combined to resist and shatter them. But in that what infinite uncertainties are involved! It does not offer us a permanent and sufficient security; but it has gained us breathing-time, and breathing-time may be all important, if it be wisely used to develope the true elements of strength and vitality in Turkey, or rather to prevent their being forbidden to develope themselves. In that case we may see the Mahometan Power gradually relaxing its baleful and now feeble hold in Europe, and passing over to that quarter of the globe where it has more of natural foundation and support, with a calm and ease very different from the horrors which marked its establishment; and we or our children may also see the noble spectacle of a Christian empire with Constantinople for its capital, a friendly neighbour, and yet a wholesome check upon Russia in the interest of Europe, a strong bulwark against Papal aggressions on behalf of Christendom, and a fair, open stage upon which the Greek race, so long injured, oppressed, and degraded, may again attain a distinguished place among the benefactors of mankind.

WAR IN CHINA:

SPEECH

OF THE

RT. HON. W. E. GLADSTONE, M.P.

MARCH 3rd, 1857.

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SPEECH,

&c.

I RISE, Sir, to answer, in the first place, the appeal made to me by the honourable and learned member for Hertford, with regard to the appointment of Sir John Bowring. That appeal, so far as I am concerned, was very naturally and justly made by him, because he was misled by the higher authority of the speech of the right honourable gentleman the Secretary of State for the Home Department. I complain of that speech in respect, not of accuracy only, but of justice, in so far as the appointment of Sir J. Bowring is concerned. I presume, first, to complain on behalf of the noble lord the member for the city of London; for in order to make him responsible for the appointment of Sir J. Bowring to high political and diplomatic position it was requisite to show more than the mere fact that my noble friend had considered him fit, from his commercial knowledge and his undoubted zeal and ability, to discharge the subordinate duties of the consulate. But I complain also on behalf of my right honour-

able friends near me and of myself, that a misapprehension has been created by the Secretary of State, who, if he did not know better, might have known better, and ought to have known better. The simple fact is, that neither my right honourable friends near me nor myself were in any manner parties to the appointment of Sir J. Bowring, and that we learned it, like the rest of the world, through the ordinary channels of information. There is no doubt a sort of responsibility which may attach to us inasmuch as we were members of the Administration at the time, but one of which I am sure the candour of the honourable and learned member for Hertford will lead him to see the just extent. That appointment was made, and I am far from saying it was blameably so made, without the knowledge or consent of the Cabinet. It is not the usage, I apprehend, to require the consent of the Cabinet in cases of this class. The intention of Lord Clarendon was made known to the head of the Government, and it was by the head of the Government allowed to pass with a declaration that the consular services of Sir J. Bowring would doubtless have given him a knowledge of China which might be useful,—that he (Lord Aberdeen) was not intimate with Dr. Bowring, nor conversant with his career, but that he knew Lord Clarendon to be both, and therefore he consented. And now, Sir, as the name of Sir John

Bowring must unfortunately recur from time to time through the whole course of these discussions, let me state that, as far as I am concerned, I entirely disclaim and repudiate the description which has been given by the honourable and learned member for Hertford of the issue we are now trying. He says that it is a judicial issue,—that the case we are now trying is the individual case of Sir J. Bowring, and that if a single doubt hangs upon that case it is our duty to acquit our representative in China. I protest, Sir, against thus making Sir J. Bowring a stalking-horse to divert our attention from the real matters that are in issue. No doubt, the conduct of Sir J. Bowring is involved in these discussions, but we are not trying Sir J. Bowring judicially. It is our duty to be fair, just and equitable towards him; but our main concern is with the facts themselves, and our prime and paramount duty is to consider the interests of humanity and the honour of England. I regret that from motives which I do not doubt grew out of nothing more than an excess of zeal for the public service, Sir J. Bowring has been led into proceedings in themselves unwarrantable; but I am bound to express my candid conviction that the policy, which Sir J. Bowring has rather clumsily chosen his opportunity for carrying into effect, was a policy not unknown beforehand to her Majesty's Government, nor by them disapproved. I found myself

in making that statement upon evidence palpable to us all. I found myself upon what was quoted by my right honourable friend the member for Carlisle—a letter from Lord Clarendon, contained in the papers before us—from which it appeared to me to be distinctly established, that that which had in former years been expressly prohibited by successive Secretaries of State has now come in principle to be permitted; that it was sufficiently understood between Sir J. Bowring and his official inferior, that, although he was bound to use the best of his judgment in making choice of his occasion, yet he was to regard himself as at liberty to prosecute his design of obtaining entry into Canton; and, lastly, that in case of need the force of the British fleet was to be available for supporting him in that design. Therefore, Sir, it is not the case of Sir J. Bowring that we are here trying. And still less, nay far less, is it the case of Sir Michael Seymour. I am sorry to say that this is not a pleasant part of the question, and I shall not dwell upon it at any length; but I must remind the House that there has been no answer to the statement made last night by my right honourable friend the member for South Wilts. He read to you a letter from Sir J. Bowring to Sir Michael Seymour, in which undoubtedly the instructions of Ministers at home were communicated to Sir Michael Seymour, but —although I do not say they were intentionally

garbled, because I have no right or disposition to believe it—they were made known to Sir Michael Seymour in such a form, and in a manner so incomplete, that they must have misled his judgment, and must have communicated to him an erroneous impression as to the views and intentions of the Government from which they proceeded.

But further, Sir, my right honourable friend, the Secretary of State for the Home Department, said it was sad to see upon these occasions—and it is sad to see—that the memory of long and confidential official intercourse, and of arduous labours conjointly performed in the public service, is not sufficient to restrain men from acrimonious and personal attacks. I am quite sure that the words which I am now going to quote fell unintentionally from my right honourable friend, but, at the same time, as such words have been spoken, they ought to be noticed. I make no general charge of personalities against the Secretary of State for the Home Department. I do not hesitate to state my conviction that the words in question were used almost unconsciously in the heat of debate; but my right honourable friend did say, when referring to the noble lord the member for the city of London :—

"I give him credit for that honesty of purpose, and that depth of conviction, which I know influence every action of his life. I wish that I could

say as much—and I would gladly if I could—for the right honourable gentleman the member for Carlisle."

Sir, I submit to the Government, if it be necessary for me to submit it, that these were words which could hardly have represented the true feelings of the Secretary of State, but if they did represent his true feelings they were words incompatible with the relations that ought to subsist between one member of this House and another.

But I pass onward, Sir, from points like these to express the satisfaction with which I heard, towards the close of the speech of my right honourable friend, his manly declaration that this was a question in which every man was bound to give his vote irrespective of party or political considerations. My right honourable friend spoke out those words with warmth and sincerity, and I think it the duty of every one who follows him in debate to acknowledge and answer his appeal. Sir, I have had the means of knowing the mind of many members of this House with respect to the question before it, and I can truly say that there is not one of them, at least within my knowledge, who is about to support the motion of the honourable member for the West Riding through the influence of party or political motives. It was the more creditable, Sir, on the part of my right honourable friend to call upon us to apply this

criterion, because, not presuming to judge the secret motives of men, but looking solely at their overt acts and plain declarations, I do not hesitate to say that the negative of the resolution will not stand the application of that test so well. We have heard the remarks of the honourable members for West Norfolk and Cornwall. And here let me stop to say that with regard to the charges of anti-Protestantism and Democratism, of starving the British army, and of everything base and vile in conduct which it seems to be the pleasure of the honourable member for Norfolk to cast upon me, I am far too sensible of the vast importance of the issues that are before us to claim the right, which perhaps the indulgence of the House might concede, of defending myself against those most dishonouring imputations. All these I pass by in silence; but on the votes of the honourable members for West Norfolk and Cornwall I must comment as a member of Parliament. They know what is doing in China. They know that no inconsiderable portion of Canton has been in flames. They know that the troops which had been posted to defend the rural districts against the rebels have, through stern necessity, been concentrated in that great city. They know—for, without doubt, as was their duty, they have read the papers—that—

"The removal of a military presence, such as it was, from the districts overrun last year by the

Hak-ka men has exposed these to a repetition of a calamity in more aggravated form, and a very considerable tract of country is believed to be swept clean by the Hak-kas. One district city has been seized, and its magistrate killed, and in several towns, small and great, that have been sacked, the inhabitants have been massacred wholesale, without distinction of sex or age."

These things are known to the honourable members for West Norfolk and Cornwall, and they think that they discharge their duty as members of the British House of Commons when they frankly avow that the votes they are to give upon this great question of humanity and justice are to be influenced not even by a desire to keep a Government in office—for that I could understand—but by a fear lest three insignificant gentlemen who sit on this bench should, through some fancied combination, find their way into power. Sir, I have the consolation of reflecting that, though the votes which the honourable members thus tender cannot indeed be rejected by the Secretary of State for the Home Department—for it is not in his power to refuse them—yet the high nature of my right honourable friend has prevented him from availing himself, even in a critical moment, of those votes without laying down a principle that utterly repudiates and condemns them.

Now, Sir, there are some points that have been

raised in these discussions, which, I pray the House to take note, have been substantially abandoned or disposed of. It is very well to speak with respect of the opinions of British merchants; but it has never been the practice of Parliament, when it has been dealing with questions in which a particular part of the community had a particular and personal interest, even though that interest should be accompanied with the advantage of superior knowledge, to abdicate its own functions and to register its judgments according to the opinions of that class. I certainly, like the Secretary of State for the Colonies, am one of the last men in this House who either ought to feel, or could by possibility feel, a disposition to throw discredit upon the class from which I am sprung; but I object entirely to this claim of authority, and I say it is not according to the practice of Parliament. If it had been the practice of Parliament to govern its proceedings, in cases where particular classes were greatly interested, by the opinions of those classes, its deliberations and the course of modern legislation would have taken a very different colour from that which they now wear. We certainly, when we were considering the Factory Bills, did not take as our paramount authority the opinions of the manufacturers. When we were considering the Corn Laws, we did not take as our paramount authority the opinion of the landed gentlemen. When Parlia-

ment was considering the abolition of the Slave Trade it did not follow as a conclusive authority the voices of the members for Liverpool; and if in 1833 the sentiments of the West India planters, with what was called, and not untruly called, their practical knowledge of the negro character, had been predominant, emancipation would certainly not have been given to the negro. Sir, the judgment of the Chinese merchants is an element in the case, but it does not discharge us of our responsibility to become ourselves the judges of that judgment, and to give sentence accordingly.

Again, Sir, there is a charge which is sometimes made against these unfortunate Chinese, and which seems to have weight given to it in the minds of some persons. It is alleged that they have a practice, when there is a competition for official situations, of preferring those who are supposed to be unfavourable to foreigners, and of dismissing others because they suspect them of an excess of friendly feeling towards foreigners. But China is not the only country in which I have heard of circumstances which appear to me very correctly to answer that description. I find at p. 4 of the papers respecting the entrance into Canton the following passage—

"Muhchanghah, the then Prime Minister, Hwang, Keying's able adviser, and a number of other high functionaries, have been dismissed

because deemed favourable to foreigners; while many mandarins, distinguished only for the violence of their 'anti-barbarian' policy, have been advanced to high posts of trust and honour."

Well, about two years ago a Prime Minister in this country, not very unlike this Muhchanghah, was dismissed for no other fault than this, that he was deemed too favourable to foreigners, and another mandarin was appointed in his place who undoubtedly has always enjoyed his principal credit with the people of England on the score of his determined anti-barbarian propensities. Do not then, Sir, let us visit this fault so severely on the Chinese; for the sentence we pass may recoil upon ourselves. Again, Sir, I really do not believe that there remains much room for discussion founded upon the Blue Book which carries the cabalistic title "Insults in China." The Secretary of State for the Home Department cleared up a misapprehension on this subject, and showed us that the title of that book, which undoubtedly is delusive, had a natural origin in the terms of the motion under which it was produced. But though all complaint as to the title is thus removed, let us bear in mind the real state of the case as to the contents; the book does not consist of a string of insults inflicted upon the British by the Chinese. Seventeen years ago, when we formerly discussed Chinese affairs, there was frequently mentioned the name of

Mr. Jardine, who was so well known in China that the natives used to describe him under a sort of nickname, the English interpretation of which certainly conveyed a compliment to his Scotch sagacity, for it was said to mean "the iron-headed old rat." Now Mr. Jardine took the opportunity of a meeting of his countrymen connected with China to record, as an old resident in that country, his strong conviction that, although the Chinese were an unsocial—in fact, an anti-social—a peculiar, and an exclusive people, yet that the general rule of their treatment of the English community was one of kindness and justice; and I believe that that is the impression which this blue-book will leave upon the minds of those who have perused it. How stands the case? I believe that in the last seven years of the period to which this record refers you have but six cases of insult, either from Chinamen to British, or from Englishmen to Chinese; and I ask whether that is a state of things which, measuring it only by the number, would at all tend to support the proposition that you had festering wrongs of old standing in China which only waited the moment to break forth, and that though this miserable affair of the lorcha was not a just cause of the war, yet that there were legitimate causes already in existence, of which it was the inevitable result; or whether it does not rather show that you

have made, by the good judgment of successive Ministers, considerable progress in conciliating the Chinese, in establishing a footing in that country, and in reducing almost to nothing those petty quarrels which of course must occasionally occur? I won't go into the nature of each of those six cases which I admit to have occurred. In two of them, if I remember rightly, the aggressors were Englishmen. In all the others the Chinese authorities exerted themselves to the full satisfaction of the British authorities in order to punish the offenders; and now let us look for a moment at the last case. On the 6th of October, only two days before the affair of the lorcha, they brought to an end a case in which a British missionary, as it appears to me in a most culpable manner, wilfully and deliberately violated the treaty and gave the Chinese authorities the right to demand under the treaty that he should be punished. They demanded, however, no such thing. Nay more, the native merchants became pecuniary security for him to a considerable amount, and Mr. Parkes, writing to Sir J. Bowring on the 6th of October, states that the Imperial Commissioner in managing the matter had shown a commendable moderation in not calling on him to take more stringent notice of that infraction of the treaty. Such was the nature of the very latest transaction with the authorities of China, two days

before what we are invited to believe to have been a deliberate insult to England.

Then, the honourable member for the West Riding is complained of for technicalities; and yet not always for technicalities; sometimes it is for technicalities, sometimes it is for generalities. If he shows that there is no ground, whether colonial, imperial or international, for these proceedings, he is accused of entangling himself in technicalities; and if he speaks of the general rules of comity, justice and peace which should bind nations, he is accused of flying off into generalities; and so, by alternating between technicalities and generalities, the defence of what is indefensible is carried on. Let the House, however, recollect how this case of the technicalities really stands. If you, the adversary, fail in your proof of the technicalities, you fail altogether; if you succeed in your proof of the technicalities you do not succeed in the main issue, but you only lay the first step of a long process which you must demonstrate. If you are about to hang a man, and, although you find a technical flaw in the proceedings, yet persist in hanging him, is that a technical offence only, or is it not also an offence against the first principles of justice, tending to undermine the essential safeguards of society? If on the other hand you have no technical error proved against you, if all your forms were correct, it still remains to inquire whether

the man has been hanged justly or unjustly. It is just so here. You have got together with most elaborate skill a parcel of pleas to impart a British character to that which was Chinese, and if you fail in your argument you have not an inch of ground to stand upon. But if you succeed in your argument, what follows? Not that you were justified in going to war, or in commencing hostilities without war; for you must not only show that there has been some denial of a right which you are duly entitled to claim, but you must show clearly upon evidence that the magnitude of the injury inflicted was sufficient to justify, and its urgency such as to require, a recourse to arms; and, unless you prove these things, and establish the substantial justice as well as the mere technical admissibility of your demands, you might as well never have begun your process of reasoning. That is the case of the technicalities.

But we are approaching the close of the debate, and at this advanced stage it may be well to register some more of the results. Let me remind the House, therefore, that no notice has been taken on the opposite side of the argument of the learned civilian the member for Tavistock, who states, upon the authority of your own Queen's Advocate, and of your own Foreign-office, that, if there were a wrong here committed, the proper remedy was distinctly pointed out by the principle of the law of nations; that this remedy was to be sought in

reprisals. and in nothing beyond them. Let it be remembered, then, that that challenge has not been answered.

My honourable and learned friend the Attorney-General did indeed answer, retrospectively or by anticipation, a good many challenges. I take it that this case is arguable on three grounds —as a matter of municipal law, as a matter of international law, or you may argue it, and far strongest of all, as a question of natural justice. What was the process adopted by the Attorney-General? I never heard a gentleman, learned or unlearned, do so much execution in the course of a single sentence as was done by my honourable and learned friend. In endeavouring to quote that sentence I am sure that I shall spoil it, so far as the beauty of the language goes, but I shall give the substance with accuracy. He said, "Don't expect me to answer specifically that which may have been advanced in this House. What I will do is to answer that which has been advanced elsewhere, and you will find that in doing that I shall answer everything that has been said in this House." By that statement it appears to me that my learned friend did great execution; for he contrived thereby — I won't say to affront — but certainly to chastise the vanity of the whole House of Commons and of one-half of the House of Lords. It is good for us to have our vanity chastised, and, as far

as I am concerned, I tender my thanks to my learned friend. There can be no question that he chastised the House of Commons, because he said, "After two nights' debate, until I the Attorney-General rose it is ridiculous to suppose that anything could have been said in this House which was not said in the other House." But, now, look at the bearing of this dictum upon one half the House of Lords. Half the House of Lords argued in favour of a motion analogous to that of the honourable member for the West Riding; the other half, including his own legal chief, the Lord Chancellor, argued against it. My honourable and learned friend said that he would answer the arguments of those who supported the views of the member for the West Riding, and in so doing he pretty clearly implied that they had not been answered before. He conveyed his meaning still more directly afterwards; for when the Lord Chancellor and others had, with infinite labour, constructed their little bulwarks and fortifications about them as they best could, from materials such as the statute law and colonial ordinance afforded, he swept them all away into the sea, as we are told in the story of the siege of Troy that Neptune swept away the bulwark of the Greeks. He fairly cleared the decks, and began upon his own account, staking everything upon his own single argument, and declaring that all that had been advanced before, drawn from

statute law or from the colonial ordinance, to be either worthless or immaterial. That is not, so far as I am concerned, either an unimportant or unsatisfactory result of the debate to place upon record.

We now, therefore, start fresh and clear with the honourable and learned gentleman the Attorney-General. We have nothing to do with those whom I am forbidden to name, but who will be well understood; we have nothing to do with their argument; but have only to look to the argument as presented by the Attorney-General. Well, the Attorney-General declined altogether to deal with any argument or title which he could derive from municipal law, whether imperial or colonial. The honourable and learned gentleman said that the only document to look to is the treaty; and it is under that treaty, if at all, that we must make good our case. Now, I do not know whether I shall be unduly taxing the patience of the House, if I observe, in passing, how curiously, as occasion serves and interest prompts, nations and governments can accept in one year, or construct in one year, arguments which in the mouth of adverse powers they have repelled the year before. Last year we had a question with America about recruiting. America charged us with having broken the rules of international law. We declined to admit the appeal to that tribunal, and never would consent to be tried on any other issue

but whether we had broken the municipal law of America. We then said in effect, that where a country has dealt by its municipal law with part of the matter of international law, that country is bound by the definitions of its municipal law, and is not entitled in the face of another country to go beyond those definitions. That was the argument last year when it served our turn, and now, when it will serve our turn no longer, we have a different argument, the direct reverse of the former one. We are now in the condition of America, with limited conditions established by municipal law. My honourable and learned friend the Attorney-General, seeing that the Merchant Shipping Act is fatal to his argument, now says, exactly reversing the whole doctrine of the controversy with America last year, we have nothing to do with the narrow definitions of our municipal law, but we must resort to the plain common-sense view of the treaty. But my learned friend was curiously inconsistent, not only with the argument of last year, but with his own argument on the present occasion. He had just said the treaty is the only document in the case, and the municipal law has nothing to do with it, the question is altogether one of international law. And how did he make good his proposition? It turned on the meaning of the phrase "British subject;" and did the honourable and learned gentleman derive his auth[illegible] from the [illegible]es of

international law? No; in order to fix who were British subjects for the purposes of the treaty, he resorted to a dictum of a municipal tribunal dealing with a civil question at home, and, after denying that the municipal law could supply materials to assist us in coming to a right view of the case, he fetched forth a judgment of that tribunal and presented it as an instrument which was authoritatively to decide the question. But the last and greatest wonder of all is, that this instrument which he made use of was, as has been shown by the honourable and learned member for Tavistock, by the honourable and learned gentleman opposite, and lastly and perhaps most clearly of all by the honourable and learned member for Plymouth, utterly worthless for his purpose, and had nothing whatever to do with the case. What the honourable and learned Attorney-General showed was this, that there was a judgment or, perhaps, judgments of British courts, under which the courts of this country acknowledged the claim of a natural-born English subject, who had become an American subject, had been domiciled, registered, had struck out all the roots of his social life in America, to the rights and privileges of an American subject, under a particular treaty which described him as an American subject. What is the use of stating such a case and applying it to the case of the Chinese, who do not claim under the definitions of a particular treaty,

who had never been domiciled in any legal sense in British dominions, who had never been naturalized at all, who had taken no oath of allegiance, who had not even, according to my learned friend's argument, leased a handful of land at Hongkong, but were mere residents there for a short or long time, as the case might be? The whole question, according to the Attorney-General's argument, turns on the construction of the 17th article of the treaty; and what by the term "British subject" is meant at Hongkong? It includes every Chinese resident within the British allegiance according to the Attorney-General, whether he had resided there a long time, or only for the moment when he took out his register. Now, Sir, if that were really the law, it would be time to call law itself before the tribunal of common sense and justice; because then, instead of being the guardian of the institutions of the State, and the regulator of the relations between man and man, it would be a mass of cabalistic art, got up by sophistical minds, not to assist the infirm reason of mankind, but taking advantage of the infirmity of that reason to prevent its ever arriving at a right conclusion.

Having adverted to the arguments founded on the municipal and international law, I now ask how does this question stand on the higher ground of natural justice? I say the higher ground, because this is the highest ground of all. My right

honourable friend the member for Carlisle (Sir James Graham) was peremptorily forbidden to appeal to the principles of Christianity. I grant that it is painful to have them brought into discussions of this kind; but at the same time any man, feeling the obligations of the position in which he is placed, might find it difficult under the circumstances altogether to avoid reference to such a topic. However, as it seems to give offence, I will make no appeal to those principles; but I will appeal to that which is older than Christianity, because it was in the world before it—to that which is broader than Christianity, because it extends in the world beyond it—and to that which underlies Christianity, for Christianity itself appeals to it—I appeal to that justice which binds man to man. I ask the House to take with me a short survey of the position in which we stand in China. We have spoken of the treaty obligations of China towards ourselves; but let not our treaty obligations to China be forgotten. For what purpose did we acquire Hongkong? Have you looked to the terms of the treaty on that point? It is there stated in the Third Article, that the Emperor of China cedes Hongkong, the reason being that it is obviously necessary and desirable that British subjects should have some port where they may careen and refit their ships. If you meant to act strictly according to the intention of the treaty, that was

the purpose to which the port of Hongkong should have been applied. I have heard the Vice-President of the Board of Trade with astonishment on this question. He rose from his seat and said that he would introduce something not mentioned before. It certainly had not been mentioned before; it has not been mentioned since; and I much doubt whether it will ever be mentioned again. The right honourable gentleman said that the Chinese population at Hongkong was not to be considered as an ordinary population of Chinese origin, since it was handed over to the Queen of England by the Emperor of China. Most important, if true; but then, unhappily, it is not true. The number of Chinese now at Hongkong, estimated by the Attorney-General there, and naturalized by the Attorney-General here, is 60,000. The number when we took the island was stated by my right honourable friend (Sir James Graham) at 1,000. I believe even this to be an exaggeration. At the time Hongkong was conceded I believe the number of Chinese there was about 500.

But again, Sir, the employment of Hongkong as a port for careening and refitting ships is not our only treaty obligation to China. There is another. It is expressed in the 12th article of the supplementary treaty:—

"A fair and regular tariff of duties and other dues having now been established, it is to be

hoped that the system of smuggling which has heretofore been carried on between English and Chinese merchants—in many cases with the open connivance and collusion of the Chinese Custom-house officers—will entirely cease; and the most peremptory proclamation to all English merchants has been already issued on this subject by the British plenipotentiary, who will also instruct the different consuls to strictly watch over and carefully scrutinize the conduct of all persons being British subjects trading under his superintendence."

By that article you have contracted, under the most solemn obligations, to put down smuggling to the very best of your power. Is there anything peculiar in your smuggling on the coast of China to give special stringency to this obligation? It comprises the worst, the most pernicious, the most demoralizing and destructive of all the contraband trades that are carried on upon the surface of the globe. Partly, indeed, it is a trade in salt. That, of course, can be open to no objection beyond the fact that it is contraband. But it is also partly a trade in opium. Have we or have we not struggled to put down that trade? I ask the noble Viscount who will address the House to-night, have the British Government struggled to put down that trade? Will it be said that they did struggle to put it down, but they found that it was too strong for them!

Then, I ask whether, at least, they have refrained from doing anything to encourage that trade? No, Sir, they have done the very thing that is now in issue. They have created this fleet of lorchas, and have protected it by colonial law. What has been its purpose? What has been its effect? I refer you to the very words of your own authority, page 7 of the correspondence upon registration, where it is said that the granting of the registers to these colonial vessels has been eminently beneficial to Hongkong. That passage was quoted by the Lord-Advocate. He is a gentleman of so much intelligence that, as he appeared not to have gathered the sense of it, I infer that he cannot have read these papers. It was beneficial to the colony. And why was it beneficial? Because it increased this coasting trade. These are the words of the Colonial Treasurer:—"If anything has been and will be pre-eminently beneficial to this colony, it is that very system of granting colonial registers, particularly to respectable Chinese settled here. . . . . Since it has already added to, and still tends to increase, the coasting trade in goods, the manufacture of Great Britain or the produce of India, such as cotton, opium, &c." It is quite plain that this coasting trade mainly has reference to smuggling purposes. There can be no doubt about it. Unfortunately, the quantity of British goods you send to China is still extremely small. Your

Parkes on that subject. There is no doubt abou
their meaning. They have been cited over ai
over again in this debate. He undoubtedly eon
fesses in these documents that the case of tl
Arrow is satisfied; and you are now, in point
fact, engaged, as I will show, in bombarding ar
burning a city in order that your envoy may ent
within it.

My right honourable friend the Secretary
State for the Colonies made a complaint on tl
part of Her Majesty's Government that gentl
men were irreverently in the habit of speaking
the war in China. He said there is no war
China. I agree with him; there is not war
China.

[Mr. Labouchere.—"I said there was no wa
with China."]

I thank my right honourable friend for tha
correction. There is not war with China. N
Sir, there is not war with China, but what
there? There is hostility. There is bloodshe
There is a trampling down of the weak by tl
strong. There is the terrible and abominab
retaliation of the weak upon the strong. Yo
are now occupied in this House by revolting an
harrowing details about a Chinese baker wh
poisoned bread,—about proclamations for th
capture of British heads,—about the waylayin
of a postal steamer, and the murder of those o
board. And these things you think strengthe

your case. Why, they deepen your guilt. War taken at the best is a frightful scourge to the human race, but because it is so the wisdom of ages has surrounded it with strict laws and usages, and has required formalities to be observed which shall act as a curb upon the wild passions of man, to prevent that scourge from being let loose unless under circumstances of full deliberation and from absolute necessity. You have dispensed with all these precautions. You have turned a consul into a diplomatist, and that metamorphosed consul is forsooth to be at liberty to direct the whole might of England against the heads of a defenceless people. Again, while war is a scourge and curse to man, it is yet attended with certain compensations. It is attended with acts of heroic self-sacrifice and of unbounded daring. It is ennobled by a consciousness that you are meeting equals in the field, and that while you challenge the dread issue of life or death you at least enter into a fair encounter. But you go to China and make war upon those who stand before you as women or as children. They try to resist you; they call together their troops; they load their guns; they kill one and wound perhaps two in action, but while they are touching units you perhaps slay thousands. They are unable to meet you in the field. You have no equality of ground on which to meet them. You can earn no glory in such

warfare. And it is those who put the British flag to such uses that stain it. It is not from them that we are to hear rhetorical exaggerations on the subject of the allegiance that we owe it Such is the case of the war in China. And to what do these people who are as mere women and children before you have recourse, when you make war with them? They resort to those miserable, those detestable contrivances which their weakness teaches them. It is not the first time in the history of the world. Have you never read of those terrific rebellions of Slaves which have risen to the dignity of being decorated with the name of wars, and which stand upon the page of history as the servile wars? And is it not notorious that among all the wars upon record those have been the most terrible, ferocious and destructive? And why? Because those who have been trampled upon exhibit in their turn the vices which oppression and tyranny have taught them. And that is the character of the war which we are prosecuting in China. Every account that we shall read in the journals or hear recited in this House will tell of calamity heaped upon calamity, and of cruelty heaped upon cruelty. The honourable member for Cornwall eulogized, forsooth, the humane manner in which our forces threw cannon balls into Canton at moderate intervals. I have received a letter, dated the 14th January, which has not been published in the

journals. I am certain the House will attend to it. It is written by one of our officers, and it shows the character of our operations against Canton, and the extent they have attained. He says,—

"On Monday morning, at daylight, fire parties were told off from the Encounter, Barracouta, Niger, the 59th, and, last not least, the Dutch Folly. The orders were to advance as near as possible to the city wall, and all the suburbs from Shamen Fort down to the Dutch Folly were to be burnt. This was well accomplished, and by nine o'clock there was a tremendous conflagration, having been fired in so many places. The naval, I am glad to say, had no casualties. Not so the 59th; they had what I consider a severe loss—two killed, eleven seriously and two slightly wounded;—had a narrow escape, as also one of our fire party. They were surprised and nearly cut off by a hundred and more men, but the revolvers and cutlasses told well, and they rushed clear. We then commenced 'carcasses' and fireballs from the Folly into the city, and got up a tremendous fire, which was much aided by a very strong breeze, which blew all day, and they only got the fire under in the city about noon on Tuesday. It must have done great damage. The entire suburbs from Shameen Fort to 400 yards beyond this fort in the French Folly direction is now a mass of ruins."

Sir, that is the state of things that existed on the 14th of January. That is the state of things to which, as early as circumstances permit, but, unhappily, I fear, too late, the wisdom and firmness of Parliament have been called upon to apply a remedy or a check; and now, when this matter has been discussed,—when the cause has been sustained by learning, eloquence, zeal and feeling, worthy as relates to the other House of Parliament, and worthy as relates to some portion of the debate in this House, of the best days of parliamentary history,– that which calls itself worldly wisdom steps in and warns us against the exercise of the authority of Parliament in putting a check upon these proceedings. We are told to take care what we are about. We are told to support our representatives; we are instructed to do them justice; but at least by this time we have swept away the rubbish which has been vented with respect to Sir J. Bowring. We have got so far in the consideration of this question, that we must not again be told we are dealing judicially with Sir J. Bowring. As far as we are dealing with persons at all, it is with the Government by whom these proceedings have been approved that we are now dealing; but we are dealing much more with the vast interests of humanity which are at stake, and with respect to which we are told that they, and they alone, ought to guide us. But we are told to beware

verse vote of the House of Commons. We are told to consider the effect of such a vote upon the Chinese. We are told to consider the ruinous consequences to our trade. We are asked if we wish to extend the ruinous conflagration which has broken out, and to injure those interests of humanity which it is our duty to assert. That is the argument sincerely used; I gladly make this concession to those who use it. Our last accounts from China are up to the middle of January, and we have now reached the 3rd of March. No human wisdom can tell, and I, for one, am not bold enough to conjecture, what may have happened or may yet happen within the three months that have elapsed after the date of the last advices, and before the decision of Parliament can reach China. But, Sir, I must say that if I am to look merely to the continuation of the influences that have been at work on the spot, there can be nothing darker than the prospect before us, and I, for one, should scarcely have the smallest hope of either an early or a favourable issue. I do not speak of military operations, but there seems to be something strangely amiss in the directing mind. For a time, again, we were amused with the story that the population of Canton were rising against the authorities. On the contrary, we are now assured by very different accounts, that the populace are arming to a man to do their best, wretched as that best

may be, I will not say to fight, but to expose themselves and to die in the quarrel into which they have been forced. But of all the cases in which warlike operations were ever begun, I do not know of any in which the political problem to be solved was so simple. What do we want from the Chinese? They are not making war on us. If when the vote of this Parliament goes to China they should be making war on us, that would be a very different matter. The defence of the lives and properties of the subjects of the Queen would be, under all circumstances, an imperative obligation. But there is nothing so improbable as that they should make war on us. They have never shown any skill or daring in the nature of aggressive operations. We are making war upon them, and for what are we making war? What are we asking from the Chinese? Sir J. Bowring has proposed our entrance into Canton, but the Government has never told us that this is an adequate cause for the war. They have never told us even that they consider our entrance into Canton desirable. It is impossible for me to say whether it is desirable, but I own I lean to the opinion of Yeh, the Chinese Commissioner, and that I am inclined to believe that our entrance into Canton, if it were conceded, would, at least at the present moment, be more mischievous than beneficial. I, for one, therefore, see no reason why we should make war for

verse vote of the House of Commons. We are told to consider the effect of such a vote upon the Chinese. We are told to consider the ruinous consequences to our trade. We are asked if we wish to extend the ruinous conflagration which has broken out, and to injure those interests of humanity which it is our duty to assert. That is the argument sincerely used; I gladly make this concession to those who use it. Our last accounts from China are up to the middle of January, and we have now reached the 3rd of March. No human wisdom can tell, and I, for one, am not bold enough to conjecture, what may have happened or may yet happen within the three months that have elapsed after the date of the last advices, and before the decision of Parliament can reach China. But, Sir, I must say that if I am to look merely to the continuation of the influences that have been at work on the spot, there can be nothing darker than the prospect before us, and I, for one, should scarcely have the smallest hope of either an early or a favourable issue. I do not speak of military operations, but there seems to be something strangely amiss in the directing mind. For a time, again, we were amused with the story that the population of Canton were rising against the authorities. On the contrary, we are now assured by very different accounts, that the populace are arming to a man to do their best, wretched as that best

that we ought to display, of the solemn predicament in which we are placed, of the political mischief which may ensue. Shadowy pictures will be drawn of the dangers, the confusion, the weakness and the paralysis of British power in the East. But what is the foundation of British power in the East—what is at least the foundation of all promise of permanence and usefulness for that British power? It is not now a question in which the Chinese are alone concerned; for the debate has been prolonged night after night, and your words have gone forth throughout England and earth. The confessions and avowals of the supporters of the Government have been, it appears to me, perfectly fatal either to the continuance of our power, or else to the character and fame of England. They talk of the consequences, they admit in full the injustice; and then they say that we must go on with that injustice. They speak of the necessity of applying the law of force to the Chinese, and they teach that it is by force that British influence must be spread. Now we have not power to prevent the language of this debate from being read. There is a general admission, either express or tacit, that the conduct of the British authorities cannot be defended on its merits. The opponents of the resolution of my honourable friend have not generally ascended to that height of boldness. Few have justified the proceedings that have taken

place. I heard the speech of the honourable and learned member for Hertford, but I did not understand that he approved them. I heard the speech of my honourable and learned friend the Attorney-General, but I thought he cautiously eschewed that portion of the case. I doubt whether my right honourable friend the Secretary of State for the Home Department justified the proceedings. Many of those who intend to support the Government have openly condemned them. The honourable gentleman the member for Cornwall condemns them. The honourable member for West Norfolk condemns them. Members more than I could name have condemned these transactions. I will ask what the effect will be throughout the world, if it goes forth that in the debates held in the two Houses of Parliament the majority, nay almost the whole of the speakers condemned the proceedings, and that even among those who sustained the Government with their vote there was a large number who condemned and scarcely any that ventured to uphold them, Why, Sir, the opinion will be that England is a power which, while it is higher and more daring in its pretensions to Christianity than any other power on the face of the globe, yet in a case where her own interests have been concerned, and where she has been acting in the remote and distant East, when fairly put to it and asked whether she would do right or wrong, she was ready to adopt for fear

of political inconvenience the principle—" I will make the law of wrong the law of my Eastern policy, and will lay the foundation of that empire which is my proudest boast in nothing more nor less than gross injustice." Sir, this is not my opinion. I will not believe that England will lay the foundation of its Eastern empire in sin and in shame like this. I believe, on the contrary, that if you have the courage to assert your prerogatives as the British House of Commons, you will pursue a course which is more consistent with sound policy as well as with the eternal principles of justice. Sir, how stands the case at this moment? I have just now supposed that the House are going to affirm that resolution which will be the seal of our disgrace. But let me reverse the picture, and suppose that the House will adopt the resolution, and then what will the House do, and what will be the history of this case? Its history, I venture to affirm, will read well for England and for the nineteenth century in which we live. Its history will then be this,—The subordinate officers of England, in a remote quarter of the globe, misconstrued the intentions of their country; they acted in violation of the principle of right; the Executive Government failed to check them. The appeal was made from the Government to the House of Lords, and made as such an appeal ought to be made, for the cause was worthy of the eloquence, and the elo-

mitted. With every one of us it rests to take his part in showing that this House, which is the first, the most ancient, and the noblest temple of freedom in the world, is also the temple of that everlasting justice without which freedom itself would be only a name or only a curse to mankind. And, Sir, I cherish the trust and the belief that, when you rise in your place to-night to declare the numbers upon the division from the chair which you adorn, the words which you shall speak will go forth from the walls of the House of Commons as a message of mercy and peace, but also as a message of prudence and true wisdom, to the farthest corner of the world.

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WEDGWOOD:

AN ADDRESS.

BY THE RIGHT HON. W. E. GLADSTONE,

CHANCELLOR OF THE EXCHEQUER,
AND M.P. FOR THE UNIVERSITY OF OXFORD.

LONDON:
JOHN MURRAY, ALBEMARLE STREET,
1863.

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CONTENTS.

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WEDGWOOD.

ADDRESS,

DELIVERED AT BURSLEM, STAFFORDSHIRE,
OCTOBER 26, 1863.

We have now, Ladies and Gentlemen, laid the foundation stone of a building which is destined, as I hope, to do honour, and to produce abundant benefit, to this town and neighbourhood.

The occupations and demands of political life compel many of those who pursue it, and myself among the number, to make a rule of declining all invitations of a local character, except such as lie within their own immediate and personal sphere. But when I received, through one of your respected representatives, an invitation to co-operate with you

his, and being true, were also in no small degree peculiar to his practice; and deserve, on this account, to be in the permanent annals of art especially associated with his name.

I have engaged, as I am aware, in a somewhat perilous undertaking. For, having come here to speak to you about a man and a business, I am obliged to begin by confessing what, if I did not confess it, you would soon discover for yourselves, namely, that of both of them my knowledge is scanty, theoretic, and remote: while you breathe the air, inherit the traditions, in some cases bear the very name of the man; and have a knowledge of the business, founded upon experience and upon interest, in all its turns and stages, and from its outer skin, so to speak, to its innermost core. It is the learner who for the moment stands in the teacher's place, and, instead of listening with submission, seems to aim at speaking with authority. It would be easy to enlarge in this course of remark; but I must stop, or I shall

soon demonstrate that I ought not to be here at all. Let me then offer something on the other side. First, I have to assure you that whatever I shall say, I submit with entire deference to the judgments of those who are better informed, and with a full assurance that if erroneous it will be corrected, and if false exploded. Secondly, as an observer, according to my limited capacity and means, of fictile manufacture in its various branches, I have formed deliberately so high, so very high, an estimate of Wedgwood in relation not merely to his particular business, but to the general laws of industrial production, that I am glad to have an opportunity of stating it fully and freely, in order to bring it, as far as in me lies, to trial by the public judgment. And thirdly, in the office which I hold as a servant of the Crown, and which places me in incessant contact with much of the industry of the country in its several branches, I am anxious,

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from the deep interest I cannot but feel in its welfare, to bear my testimony to the principles, of which Wedgwood was, so to speak, an apostle; and moreover, to give to that testimony any little weight which such an office, and such a deep interest and near relation established by it, may be likely, in the absence of higher personal qualifications, to impart.

Thirty years ago it would probably have been held by many, and it may still be the thought of some, that the matters, of which I have now to speak, are matters which may well be left to regulate themselves. To vindicate for trade in all its branches the principle and power of self-regulation, has been for nearly a quarter of a century a principal function of the British Parliament. But the very same stage in our political and social existence, which has taught us the true and beneficial application of the laws of political economy, has likewise disclosed to us the just limits of the science, and of the field

of its practical application. The very same age, which has seen the State strike off the fetters of industry, has also seen it interpose, with a judicious boldness, for the protection of labour. The same spirit of policy, which has taken from the British producer the enjoyment of a system of virtual bounties, paralyzing to him and most costly to the community at large, has offered him the aids of knowledge and instruction by whatever means, either of precept or example, public authority could command.

We may consider the products of industry with reference to their utility; or to their cheapness; or with regard to their influence upon the condition of those who produce them; or, lastly, with reference to their beauty; to the degree in which they associate the presentation of forms and colours, agreeable to the cultivated eye, with the attainment of the highest aptitude for those purposes of common life, for which they are properly designed.

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Now, as to their utility and convenience, considered alone, we may leave that to the consumer, who will not buy what does not suit him. As to their cheapness, when once security has been taken that an entire society shall not be forced to pay an artificial price to some of its members for their productions, we may safely commit the question to the action of competition among manufacturers, and of what we term the laws of supply and demand. As to the condition of the workpeople, experience has shown, especially in the case of the Factory Acts, that we should do wrong in laying down any abstract maxim as an invariable rule. Generally it may be said, that the presumption is in every case against legislative interference: but that upon special grounds, and most of all where children are employed, it may sometimes not only be warranted but required. This, however, though I may again advert to it, is not for to-day our special subject. We come, then,

to the lowest and most backward grade of civilization, the nature of man craves, and seems as it were even to cry aloud, for something, some sign or token at the least, of what is beautiful, in some of the many spheres of mind or sense. This it is, that makes the Spitalfields weaver, amidst the murky streets of London, train canaries and bullfinches to sing to him at his work: that fills with flower-pots the windows of the poor: that leads the peasant of Pembrokeshire to paint the outside of his cottage in the gayest colours: that prompts, in the humbler classes of women, a desire for some little personal ornament, certainly not without its dangers (for what sort of indulgence can ever be without them?), yet sometimes, perhaps, too sternly repressed from the high and luxurious places of society. But indeed we trace the operation of this principle yet more conspicuously in a loftier region: in that instinct of natural and Christian piety, which

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taught the early masters of the Fine Arts to clothe, not only the most venerable characters associated with the objects and history of our Faith, but especially the idea of the sacred Person of our Lord, in the noblest forms of beauty that their minds could conceive, or their hands could execute.

It is, in short, difficult for human beings to harden themselves at all points against the impressions and the charm of beauty. Every form of life, that can be called in any sense natural, will admit them. If we look for an exception, we shall perhaps come nearest to finding one in a quarter where it would not at first be expected. I know not whether there is any one among the many species of human aberration, that renders a man so entirely callous, as the lust of gain in its extreme degrees. That passion, where it has full dominion, excludes every other; it shuts out even what might be called redeeming infirmities; it blinds

take care, that everything we produce shall, in its kind and class, be as good as we can make it. When Dr. Johnson, whom I suppose that Staffordshire must ever reckon among her most distinguished ornaments, was asked by Mr. Boswell, how he had attained to his extraordinary excellence in conversation, he replied, he had no other rule or system than this; that, whenever he had anything to say, he tried to say it in the best manner he was able. It is this perpetual striving after excellence on the one hand, or the want of such effort on the other, which, more than the original difference of gifts (certain and great as that difference may be), contributes to bring about the differences we observe in the works and characters of men. Now such efforts are more rare, in proportion as the object in view is higher, the reward more distant.

It appears to me that, in the application of Beauty to works of utility, the reward is gene-

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rally distant. A new element of labour is imported into the process of production; and that element, like others, must be paid for. In the modest publication, which the firm of Wedgwood and Bentley put forth under the name of a Catalogue, but which really contains much sound and useful teaching on the principles of industrial Art, they speak plainly on this subject to the following effect:—

"There is another error, common with those who are not over-well acquainted with the particular difficulties of a given art; they often say, that a beautiful object can be manufactured as cheaply as an ugly one. A moment's reflection should suffice to undeceive them." *

The beautiful object will be dearer, than one perfectly bare and bald; not because utility is curtailed or compromised for the sake of beauty, but because there may be more

* Catalogue, p. 95. I quote from the sixth edition: it is in French, and is the only one I have seen.

manual labour, and there must be more thought, in the original design.—

> "Pater ipse colendi
> Haud facilem esse viam voluit." *

Therefore the manufacturer, whose daily thought it must and ought to be to cheapen his productions, endeavouring to dispense with all that can be spared, is under much temptation to decline letting Beauty stand as an item in the account of the costs of production. So the pressure of economical laws tells severely upon the finer elements of trade. And yet it may be argued that, in this as in other cases, in the case for example of the durability and solidity of articles, that which appears cheapest at first may not be cheapest in the long run. And this for two reasons. In the first place, because in the long run mankind are willing to

* Georg. I. 122. Some of the quotations were not delivered orally.

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pay a price for Beauty. I will seek for a proof of this proposition in an illustrious neighbouring nation. France is the second commercial country of the world; and her command of foreign markets seems clearly referable, in a great degree, to the real elegance of her productions, and to establish in the most intelligible form the principle, that taste has an exchangeable value; that it fetches a price in the markets of the world.

But, furthermore, there seems to be another way, by which the law of nature arrives at its revenge upon the short-sighted lust for cheapness. We begin, say, by finding Beauty expensive. We accordingly decline to pay a class of artists for producing it. Their employment ceases; and the class itself disappears. Presently we find, by experience, that works reduced to utter baldness do not long satisfy. We have to meet a demand for embellishment of some kind. But we have now starved out the

race, who knew the laws and modes of its production. Something, however, must be done: So we substitute strength for flavour, quantity for quality; and we end by producing incongruous excrescences, or even hideous malformations, at a greater cost than would have sufficed for the nourishment among us, without a break, of chaste and virgin Art.

Thus, then, the penalty of error may be certain; but it may remain not the less true that the reward of sound judgment and right action, depending as it does not on to-day or to-morrow, but on the far-stretching future, is remote. In the same proportion, it is wise and needful to call in aid all the secondary resources we can command. Among these instruments, and among the best of them, is to be reckoned the foundation of Institutes, such as that which you are now about to establish; for they not only supply the willing with means of instruction, but they bear witness

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from age to age to the principle on which they are founded; they carry down the tradition of good times through the slumber and the night of bad times, ready to point the path to excellence, when the dawn returns again. I heartily trust the Wedgwood Institute will be one worthy of its founders, and of its object.

But now let us draw nearer to the immediate character and office of him, whom I may call our hero. His most signal and characteristic merit lay, as I have said, in the firmness and fulness with which he perceived the true law of what we term Industrial Art, or in other words, of the application of the higher Art to Industry; the law which teaches us to aim first at giving to every object the greatest possible degree of fitness and convenience for its purpose, and next at making it the vehicle of the highest degree of Beauty which, compatibly with that fitness and convenience, it will bear; which does

not, I need hardly say, substitute the secondary for the primary end, but which recognises, as part of the business of production, the study to harmonise the two. To have a strong grasp of this principle, and to work it out to its results in the details of a vast and varied manufacture, is a praise, high enough for any man, at any time, and in any place. But it was higher and more peculiar, as I think, in the case of Wedgwood, than in almost any other case it could be. For that truth of Art, which he saw so clearly, and which lies at the root of excellence, was one, of which England, his country, has not usually had a perception at all corresponding in strength and fulness with her other rare endowments. She has long taken a lead among the nations of Europe for the cheapness of her manufactures: not so for their beauty. And if the day shall ever come, when she shall be as eminent in true taste, as she is now in economy of production, my belief is that that result will

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probably be due to no other single man in so great a degree as to Wedgwood.

This part of the subject, however, deserves a somewhat fuller consideration.

There are three regions given to man for the exercise of his faculties in the production of objects, or the performance of acts, conducive to civilisation, and to the ordinary uses of life. Of these, one is the homely sphere of simple utility. What is done, is done for some purpose of absolute necessity, or of immediate and passing use. What is produced, is produced with an almost exclusive regard to its value in exchange, to the market of the place and day. A dustman, for example, cannot be expected to move with the grace of a fairy; nor can his cart be constructed on the flowing lines of a Greek chariot of war. Not but that, even in this unpromising domain, Beauty also has her place. But it is limited, and may for the present purpose be left out of view.

Then there is, secondly, the lofty sphere of pure thought and its ministering organs, the sphere of Poetry and the highest Arts. Here, again, the place of what we term utility is narrow; and the production of the Beautiful, in one or other of its innumerable forms, is the supreme, if not the only, object.

Now, I believe it to be undeniable, that in both of these spheres, widely separated as they are, the faculties of Englishmen, and the distinctions of England, have been of the very first order. In the power of economical production, she is at the head of all the nations of the earth. If in the Fine Arts, in Painting, for example, she must be content with a second place, yet in Poetry, which ranks even higher than Painting,—I hope I am not misled by national feeling when I say it,—she may fairly challenge all the countries of Christendom, and no one of them, but Italy, can as yet enter into serious competition with the land of Shakespeare.

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But, for one, I should admit that, while thus pre-eminent in the pursuit of pure beauty on the one side, and of unmixed utility on the other, she has been far less fortunate, indeed, for the most part she has been decidedly behindhand, in that intermediate region, where Art is brought into contact with Industry, and where the pair may wed together. This is a region alike vast and diversified. Upwards, it embraces Architecture, an art which, while it affords the noblest scope for grace and grandeur, is also, or rather ought to be, strictly tied down to the purposes of convenience, and has for its chief end to satisfy one of the most imperative and elementary wants of man. Downwards, it extends to a very large proportion of the products of human industry. Some things, indeed, such as scientific instruments for example, are so determined by their purposes to some particular shape, surface, and materials, that even a Wedgwood might find in them little space for

the application of his principles. But, while all the objects of trade and manufacture admit of fundamental differences in point of fitness and unfitness, probably the major part of them admit of fundamental differences also in point of Beauty or of Ugliness. Utility is not to be sacrificed for Beauty, but they are generally compatible, often positively helpful to each other: and it may be safely asserted, that the periods, when the study of Beauty has been neglected, have usually been marked not by a more successful pursuit of utility, but by a general decline in the energies of man. In Greece, the fountainhead of all instruction on these matters, the season of her highest historic splendour was also the summer of her classic poetry and art: and in contemplating her architecture, we scarcely know whether most to admire the acmè of Beauty, or the perfect obedience to the laws of mechanical contrivance. The Arts of Italy were the offspring of her free-

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dom, and with its death they languished and decayed. And let us again advert for a moment to the case of France. In the particular department of industrial art, France, perhaps, of all modern nations, has achieved the greatest distinction: and at the same time there is no country which has displayed, through a long course of ages, a more varied activity, or acquired a greater number of the most conspicuous titles to renown.

It would be easy to show that the reputation, which England has long enjoyed with the trading world, has been a reputation for cheap, and not for beautiful, production. In some great branches of manufacture, we were, until lately, dependent upon patterns imported from abroad: in others, our works presented to the eye nothing but a dreary waste of capricious ugliness. Some of us remember with what avidity, thirty or forty years back, the ladies of England, by themselves and by their friends,

smuggled, when they had a chance, every article of dress and ornament from France. That practice has now ceased. No doubt the cessation is to be accounted for by the simple and unquestionable fact that there are no longer any duties to evade: but also the preference itself has in some degree been modified, and that modification is referable to the great progress that has been made in the taste and discernment, which this country applies to industry. I have understood that, for some of the textile fabrics, patterns are now not imported only, but also exported to France in exchange.

Nor let us treat this as if it were a matter only of blame to our immediate forefathers, and of commendation to ourselves. It has not, I think, been sufficiently considered, what immense disadvantages were brought upon the country, as respects the application of Fine Art to Industry, by the great Revolutionary War. Not only was the engrossing character of a deadly

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struggle unfavourable to all such purposes, but our communion with the civilized world was placed under very serious restraint; and we were in great measure excluded from resort to those cities and countries, which possessed in the greatest abundance the examples bequeathed by former excellence. Nor could it be expected, that Kings and Governments, absorbed in a conflict of life and death, and dependent for the means of sustaining it on enormous and constant loans, could spare either thought or money from war and its imperious demands, for these, the most pacific among all the purposes of peace. At any rate, I take it to be nearly certain, that the period of the war was a period of general, and of progressive, depression, and even degradation, in almost every branch of industrial art. Nor is this the less true in substance, because Beauty may have had witnesses here and there, prophesying, as it were, in sackcloth on her behalf. I apprehend that,

to strengthen himself in his weakest points, so it is the study and following of Wedgwood, and of Wedgwood's principles, which may confidently be recommended to our producers as the specific cure for the specific weakness of English industry.* Of imagination, fancy, taste, of the highest cultivation in all its forms, this great nation has abundance. Of industry, skill, perseverance, mechanical contrivance, it has a yet larger stock, which overflows our narrow bounds, and floods the world. The one great want is, to

* A friend has pointed out to me, since this Address was delivered, the following comparison between Goethe and Wedgwood, by a countryman of the former. As a countryman of Wedgwood, I should hardly have dared it: but I accept it, as most apt and just, from the competent and dispassionate witness who tenders it. Novalis (*Fragmente Æsthetik und Literatur*) thus writes:—"Goethe ist ganz praktischer Dichter. Er ist in seinen Werken, was der Engländer in seinen Waaren ist: höchst einfach, nett, bequem und dauerhaft. Er hat in der deutschen Literatur das gethan, was Wedgwood in der englischen Kunstwelt gethan hat."

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bring these two groups of qualities harmoniously together; and this was the peculiar excellence of Wedgwood; his excellence, peculiar in such a degree, as to give his name a place above every other, so far as I know, in the history of British industry, and remarkable, and entitled to fame, even in the history of the industry of the world.

We make our first introduction to Wedgwood about the year 1741, as the youngest of a family of thirteen children, and as put to earn his bread, at eleven years of age, in the trade of his father, and in the branch of a thrower. Then comes the well-known small-pox: the settling of the dregs of the disease in the lower part of the leg: and the amputation of the limb, rendering him lame for life. It is not often that we have such palpable occasion to record our obligations to the small-pox. But, in the wonderful ways of Providence, that disease, which came to him as a two-

produced works truer, perhaps, to the inexorable laws of art, than the fine fabrics that proceeded from those establishments, and scarcely *less attractive to the public taste of not England only, but the world.*

Here, again, is a man, who found his business cooped up within a narrow valley by the want of even tolerable communications, and who, while he devoted his mind to the lifting that business from meanness, ugliness, and weakness, to the highest excellence of material and form, had surplus energy enough to take a leading part in great engineering works like the Grand Trunk Canal from the Mersey to the Trent; which made the raw material of his industry abundant and cheap, which supplied a vent for the manufactured article, and which opened for it materially a way to what we may term its conquest of the outer world.

Lastly, here is a man who found his country dependent upon others for its supplies of all

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the finer earthenware, but who, by his single strength, reversed the inclination of the scales, and scattered thickly the productions of his factory over all the breadth of the continent of Europe. There has been placed in my hands, this very morning, a testimony to the extraordinary performance of Wedgwood in this respect, which is couched in such terms, that I might have scrupled to accept or quote them, had they been due to the partial pen of a countryman. But the witness is a contemporary Frenchman, M. Faujas Saint Fond; who, in his *Travels in England*, writes as follows respecting Wedgwood's ware:—

"Its excellent workmanship; its solidity; the advantage which it possesses of standing the action of the fire; its fine glaze, impenetrable to acids; the beauty, convenience, and variety of its forms, and its moderate price, have created a commerce so active, and so universal, that in travelling from Paris to St.

Petersburg, from Amsterdam to the furthest point of Sweden, from Dunkirk to the southern extremity of France, one is served at every inn from English earthenware. The same fine article adorns the tables of Spain, Portugal, and Italy; it provides the cargoes of ships to the East Indies, the West Indies, and America."

Surely it is strange that the life of such a man should, in this "nation of shopkeepers," yet at this date remain unwritten; and I have heard with much pleasure a rumour, which I trust is true, that such a gap in our literature is about to be filled up.

All that we know, however, of the life of Wedgwood seems to be eminently characteristic. We find the works of his earliest youth already beginning to impress a new character upon his trade: a character of what may be called precision and efficiency, combined with taste, and with the best basis of taste, a

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loving and docile following of nature.* We find him beginning his partnerships when manhood was but just attained, first with Harrison, a fellow-workman, secondly with Whieldon; and the latter business, I believe, was carried on at the exact place where we are now assembled. But, as we might naturally expect in the case of a spirit so energetic and expansive, we find that in each of these cases the bed did not give him room enough to lie on or to turn in; and in 1759, as soon as his articles with Whieldon expire, he escapes from this unequal yoking, and enters into business by himself. This, however, though a natural, was not a final stage. It was necessary that he, who was the soul, should also be the centre and the head: but it was further necessary that he should

* I learned at Burslem, after delivering this Address, with pleasure but without surprise, that Mr. Wedgwood either was the founder, or took a leading part in the foundation, of the Horticultural Society of London.

surround himself at all points with an efficient staff for a great, varied, and not merely reforming but creative work. Hence he associated himself with Mr. Richard Bentley as a partner: who is stated to have chiefly superintended the London business, but who has credit for having supplied the information necessary to enable the firm to entertain largely on the handling of classical designs. He also employed Mr. Chisholm as an experimental chemist, and other scientific men in the several departments of the business. Hence his connexion with Flaxman, which has added much alike to the honour of the one and of the other. It was once the fashion to say that Queen Elizabeth had by no means been proved to be a woman of extraordinary power, but that she certainly had ministers of vast ability. And in like manner some might be tempted to suspect, when they have seen Wedgwood surrounded, that his merit lay chiefly in

[illegible]

[illegible]

the choice of instruments and coadjutors, and that to them the main part of the praise is due.

What were the respective shares of Bentley and others in the great work of Wedgwood, is a question of interest, on which it may be hoped that we shall soon be more largely informed. It is plain that, in an enterprise so extended and diversified, there not only may, but must, have been, besides the head, various assistants, perhaps also various workmen, of merit sufficient to claim the honour of separate commemoration. As to the part which belongs to Flaxman, there is little difficulty: notwithstanding the distorting influence of fire, the works of that incomparable designer still in great part speak for themselves. To imitate Homer, Æschylus, or Dante, is scarcely a more arduous task than to imitate the artist by whom they were illustrated. Yet I, for one, cannot accept the doctrine of those, who would have us ascribe to

to the province of their originals, but are conceived in the genuine, free, and soaring spirit of that with which they claim relationship.

But it is not in happy imitation, it is not in the successful presentation of works of Fine Art, that, as I conceive, the specialty of Wedgwood really lies. It is in the resuscitation of a principle; of the principle of Greek art: it is in the perception and grasp of the unity and comprehensiveness of that principle. That principle, I submit, lies, after all, in a severe and perfect propriety; in the uncompromising adaptation of every material object to its proper end. If that proper end be the presentation of Beauty only, then the production of Beauty is alone regarded; and none but the highest models of it are accepted. If the proper end be the production of a commodity for use and perishable, then a plural aim is before the designer and producer. The object must first and foremost be adapted to its use as

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closely as possible: it must be of material as durable as possible; and while it must be of the most moderate cost compatible with the essential aims, it must receive all the beauty which can be made conducive to, or concordant with, the use. And because this business of harmonizing use and beauty, so easy in the works of nature, is arduous to the frailty of man, it is a business which must be made the object of special and persevering care. To these principles the works of Wedgwood habitually conformed.

He did not in his pursuit of Beauty overlook exchangeable value, or practical usefulness. The first he could not overlook, for he had to live by his trade; and it was by the profit, derived from the extended sale of his humbler productions, that he was enabled to bear th
risks and charges of his higher works.
merce did for him, what the King of F
for Sèvres, and the Duke of

clare itself more comfortable in a dish of Wedgwood's, than in any other dish.

Again, there are certain circular inkstands by Wedgwood, which are described in the twenty-first section of the Catalogue. It sets forth the great care which had been bestowed upon the mechanical arrangement, with a view to the preservation of the pen, and the economical and cleanly use of the ink. The prices are stated at from sixpence to eight shillings, according to size and finish. I have one of these; not however black, like those mentioned in the Catalogue, but of his creamy white ware. I should guess that it must have been published at the price of a shilling, or possibly even less. It carries a slightly recessed upright rectilinear ornament, which agreeably relieves a form otherwise somewhat monotonous. But the ornament does not push this inkstand out of its own homely order. It is so tasteful that it would not disgrace a cabinet, but so plain that it would suit

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a counting-house. It has no pretension: all Wedgwood's works, from the lowest upwards, abhor pretension.

While he always seems to have in view a standard of excellence indefinitely high, he never falls into extravagance or excess. I do not mean to say that all the wares which proceeded from his furnaces are alike satisfactory; but I am confident that it is easy, even from his cheaper and lower productions, without any reference to the higher, to prove him to have been a man of real genius, thoroughly penetrated with the best principles of art.

I have spoken of Wedgwood's cheapest, and also of his costliest, productions. Let me now say a word on those which are intermediate. Of these, some appear to me to be absolutely faultless in their kind: and to exhibit, as happily as the remains of the best Greek art, both the mode and the degree in which beauty and convenience may be made to coalesce in

articles of manufacture. I have a *déjeûner*, nearly slate-coloured, of the ware which I believe is called jasper ware. This seems to me a perfect model of workmanship and taste, The tray is a short oval, extremely light, with a surface soft as an infant's flesh to the touch, and having for ornament a scroll of white riband, very graceful in its folds, and shaded with partial transparency. The detached pieces have a ribbed surface, and a similar scroll reappears, while for their principal ornament they are dotted with white quatrefoils. These quatrefoils are delicately adjusted in size to the varying circumferences: and are executed both with a true feeling of nature, and with a precision that would scarcely do discredit to a jeweller.

Enough, however, of observations on particular specimens of your great master's work. But let me hazard yet a few words on the general qualities of his business and his productions.

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It seems plain that, though uneducated in youth for any purpose of art, he contrived to educate himself amidst the busy scenes of life. His treatise on the pyrometer shows that he had studied, or at any rate acquired, all the science applicable to his business: his account of the Barberini vase proves, that he had qualified himself to deal personally, and not only through partners or assistants, with the subjects of classical antiquity. But nothing can be more characteristic of his mind, than the firmness with which, at the close of the Catalogue, the intentions of the firm respecting cheapness of production are declared. He has before explained, as I have already mentioned, that the utmost cheapness can hardly be had along with the highest beauty. He goes on to vindicate his prices, as compared with those of others: and concludes his apology, in terms which do the firm the highest honour, by declaring plainly, "they are determined to give over manufac-

turing any article, whatsoever it may be, rather than to degrade it." A clear proof, I think, that something, which resembles heroism, has its place in trade. With this bold announcement to the world was combined, within the walls of his factory, that unsparing sacrifice of defective articles, and confinement of his sales to such as were perfect, which down to this day supply the collector, in a multitude of cases, with the test he needs in order to ascertain the genuine work of the master.

The lightness of Josiah Wedgwood's ware, which is an element not merely of elegance but of safety; the hardness and durability of the bodies; the extraordinary smoothness, and softness to the touch, of the surfaces; their powers of resisting heat and acids: the immense breadth of the field he covered, with the number and variety of his works in point of form, subject, size, and colour—this last particularly as to his vases; his title almost to the pater-

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nity * of the art of relief in modern earthenware; all these are characteristics, which I am satisfied only to name. There are, however, two other points still on my mind; one the prevailing character of his colours; the other his extraordinary merit as a restorer of form in fictile products.

The general character of his colours may perhaps be justly described as a strict sobriety imbibed from, and closely following, the antique. He did not attempt to cover the entire field of porcelain manufacture. That which is perhaps the noblest and most arduous part of all its work, I mean modelling the human

* It seems to have been practised before Wedgwood, but in an inferior manner. Mr. Digby Wyatt ('Journal of Society of Arts,' May 28, 1858) informs us of its introduction by two Germans named Elers, in the end of the seventeenth century. And it partially appears in porcelain manufactures apparently older than Wedgwood. But in his hands it assumed a character altogether new.

figure in the solid, he rarely attempted.* And we must not look to him for the gay diversity of its colouring and subjects; for its gilding sometimes so gorgeous and sometimes so delicate; or for the splendid effects yielded (in particular) by its deep blue grounds. In no instance, known to me, does he indulge in showy colour. He has indeed highly glazed vases in admirable taste and of great effect, but usually, I think, the ground is some variety of green or grey. His eye could not, however, have been insensible to the attractions of such colouring, as was produced at Sèvres or at Chelsea. When we find a general characteristic, running through the works of a man like Wedgwood, we may safely assume there was a reason for it. Probably or possibly, the reason for the restraint and so-

* The Flaxman chessmen may be quoted as an instance; but they are, of course, on a very small scale.

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briety of the colouring which he used is to be found not in mere imitation, but in the classical and strict severity of his forms.

I hope it will not be thought presumptuous to give utterance to an opinion, that the forms of many among the most costly and splendid vases which were produced at Chelsea, and even at Sèvres, in the last century, were unsatisfactory: sometimes fantastic, often heavy and ungainly, rarely quite successful in harmonising the handles with the vessel, and upon the whole neither conformable to any strict law of Art, nor worthy of the material, or of the fine colouring, drawing, composition, and gilding, there and elsewhere so often exhibited in the decoration. On comparing the forms of vases produced at those factories with vases of Wedgwood, although these doubtless have also suffered as to their finer proportions from shrinking in the fire, I have felt it for myself impossible to avoid being struck with his

superiority, and arriving at an opinion that his lifetime constitutes in modern fictile manufacture little less than a new era as to form. It is hard to avoid conjecturing that his eye must have noticed, and must in this respect have condemned, the prevailing fashion, and that he must have formed a deliberate resolution to do what I think unquestionably he did; namely, to exhibit to the world, in this vital particular, a much higher standard of excellence than he found actually in vogue.

Of the personal character of Wedgwood, in its inner sense, the world has not yet been informed: but none can presume otherwise than well of one, who, in all those aspects which offer themselves to the view of the world, appears to have been admirable. For our present purpose let us consider him only as a master. And this is a matter of more than common interest, at a time when so many of the most eminent firms in the district have, in

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a manner the most laudable, themselves called the attention of public authority to the condition of their younger labourers, with a view to obtaining the friendly aid of legislative interference for their adequate instruction and protection.* Indeed we may say, respecting this all-important question of the condition of the people, what we said of the element of beauty in manufacture. The demand for cheapness presses hard upon it: yet nothing, which depresses the moral or physical condition of the people below the standards of Christianity, of sufficiency, and of health, can in the end be cheap.

In the year 1769, when Wedgwood was promoting the Grand Trunk Canal, and building his works and settling his colony at Etruria,

* See the Appendix to the *Report of the Commissioners on the Employment of Children, &c.*, laid before Parliament 1863.

wilderness is literally become a fruitful field. Houses, villages, towns, have sprung up; and the country is not more improved than the people." *

It is impossible to conceive a testimony more honourable to Wedgwood: nor can I better conclude these remarks than by uttering the cordial hope that you, his successors, who have during late years earned so much honour for the taste and industry of the country, may profit in all respects more and more effectually by the lessons which your great forerunner has bequeathed you, and may find at least one substantial part of your reward in witnessing around you a thriving and contented, a healthy and a happy population.

* 'Lives of the Engineers,' vol. i. p. 448.

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HISTORICAL REMARKS

ON

THE ROYAL SUPREMACY.

EXTRACTED FROM

A LETTER,

PUBLISHED IN 1850,

TO THE LATE

LORD BISHOP OF LONDON,

BY THE

RIGHT HON. W. E. GLADSTONE,

M.P. FOR THE UNIVERSITY OF OXFORD.

Printed and published for the Ecclesiastical Appeal Amendment Association.

OXFORD and LONDON:

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1865.

PREFACE.

THE Committee of the Association for procuring an Amendment in the Law of Final Appeal in Ecclesiastical Causes, has thought it desirable to recall public attention to the facts and arguments contained in Mr. Gladstone's Letter to the late Bishop of London on the Royal Supremacy. That Letter having been long out of print, the Committee has, through one of its members, ascertained from the distinguished Author that he would not make any objection to the republication of the following extracts from his Pamphlet.

LONDON,
January, 1865.

REMARKS

ON

THE ROYAL SUPREMACY.

EXTRACTED FROM A LETTER TO THE LATE

LORD BISHOP OF LONDON.

THE questions that I seek to examine will be as follows:—

1. Did the Statutes of the Reformation involve the abandonment of the duty of the Church to be the guardian of her Faith?

2. Is the present composition of the Appellate tribunal conformable either to reason or to the Statutes of the Reformation, and the spirit of the Constitution as expressed in them?

3. Is the Royal Supremacy, according to the Constitution, any bar to the adjustment of the Appellate jurisdiction in such a manner as that it shall convey the sense of the Church in questions of doctrine?

* * * * * *

Let us, my Lord, first briefly sum up the concessions made by the Church, and the main statutory enactments of the era of the Reformation respecting her, whether founded on her concessions or not; and afterwards review in general

outline those conditions which, growing out of the nature of the State and of the Church respectively, seem to be indispensable to their full co-operation under all circumstances, and even to their peaceable neighbourship, except under the circumstances which I shall afterwards describe. With these preliminaries, we shall be in a condition to attempt an estimate of the real meaning and the real merits of the great legislative provisions of the Reformation relating to Church power.

First then, both houses of the clergy in Convocation acknowledged the King, in the year 1530, as being lord and head over the Church, in these terms: *Ecclesiæ et cleri Anglicani singularem protectorem, unicum et supremum dominum, tc, quantum per Christi legem licet, etiam supremum caput ipsius majestatem recognoscimus* [a].

I do not enter into the question [b] whether the qualifying words *quantum per Christi legem licet* were finally omitted by the Convocation, but simply follow the received opinion. In the statute [c], however, though passed "for corroboration and confirmation thereof," that is, of the submission, there is no notice of them.

Secondly, the clergy acknowledged that the Convocation always had assembled, and ought only to assemble, by the king's writ.

It is not required to dwell upon this point: first, because it purports merely to be an acknowledgment of existing practice; secondly, because the question whether Convocation were to assemble otherwise than by the king's writ, was a secondary one when the Church had likewise the power to

[a] Collier, ix. 94. In immediate connection with the words are the thanks of the Convocation to Henry for his services to the Church, against *quamplurimos hostes, maximè Lutheranos.*

[b] See Parker, Antiq. Eccl. Brit., p. 487.

[c] 26 Henry VIII., c. 1.

legislate in synods which were undoubtedly assembled without any such writ; and lastly, because the really effective restraint was that conceded by the promise of the clergy, which, it will be seen, was applicable, not to any particular form of meeting, but bound the whole Spiritual Estate, without distinguishing any one mode of formal action from another.

Thirdly, they promised *in verbo sacerdotii*, according to the recital in 25 Hen. VIII. c. 19, never thenceforward "to attempt to allege, claim, or put in ure" any new canons but with the king's licence.

Fourthly, that they never would "enact, promulge, or execute" any such canons without his assent.

Fifthly, they petition that a Commission may be appointed by the Crown, to consist of thirty-two persons—sixteen to be of the clergy and sixteen to be laymen of the two Houses of Parliament—to review the Church laws then subsisting; to abolish and annul such part of them as they might think exceptionable; and to present such of them, as they might consider worthy to stand, to the Crown for fresh confirmation [d].

The powers thus proposed to be delegated were vast; they did not, however, include any right to pass or to propose any new matter for ecclesiastical law. The ground of the proceeding was recited to be, that there were at the time, as no doubt was true, many decretals and constitutions that were contrary to law, and onerous to the subject as well as the king [e].

Nor is it necessary to discuss the wisdom or propriety of this petition of the clergy, since the enactments passed in

[d] The persons actually appointed under Edward VI. may be found in Collier, App. No. LXI. They were seventeen of the clergy, with eight lawyers and six civilians.

[e] 25 Henry VIII., c. 19.

consequence of it never took final effect; and, however material they may be as illustrating the spirit and tendencies of the day, they have not in any direct manner entered into the constitution of the English Church.

By these recitals we plainly see what were the concessions of the spiritual estate of the realm in regard to the power of legislation for the Church. There was no surrender of that power, no acknowledgment that the source of it resided in the Crown; but the exercise of it was placed under restraints perfectively effective, as it was made dependent on the Royal licence or assent, both as to the power of deliberation, and as to the power of giving effect to its results.

Accordingly, both the theory and practice of the State have recognised the legislative power of the Church to be in Convocation. The formularies of the Church as they subsist were adjusted by it, and received the sanction of the Legislature. The latest declaration on the subject is perhaps the clearest: that, namely, of 1689, by a joint address from both Houses of Parliament, praying, "that according to the ancient practice and usage of this kingdom in time of parliament, His Majesty would be graciously pleased to issue forth his writs, as soon as conveniently might be, for calling a Convocation of the clergy of this kingdom, to be advised with in ecclesiastical matters[f]."

It is not, however, so clear what the Convocation either augured or intended with respect to executive and judicial power, in making these concessions. An acknowledgment of the headship of the Crown, qualified by the law of Christ, by no means appears *ex vi terminorum* to imply the annexation to it of a supreme jurisdiction in all ecclesiastical causes. And although we find in the submission the words, "*singularem protectorem unicum et supremum dominum*," the

[f] Cardwell's Synodalia, Pref., p. xxi.; Parl. Hist., v. p. 216.

framers of the statute have not thought it worth their while to recite these words, or to found any construction upon them. Again, the acknowledgment of the King as head of the Church is recited as absolute, contrary as it appears to the facts; and the enacting part of the statute is not confined to providing that the King shall be reputed its head, and shall have all the jurisdictions and authorities appertaining to that title, but it goes on to make a separate provision, that the Crown shall have full power and authority to correct all errors, heresies, and offences whatsoever, "which by any manner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained, or amended." In these words all corrective jurisdiction whatever was definitely annexed to the Crown, while the privileges appertaining to headship were left quite undefined. The effect of the statute, therefore, seems to be, that while *corrective* jurisdiction was secured in legal language to the temporal power, there was no distinct provision whatever made with respect to *directive* jurisdiction, that is to say, the ordinary authority by which the functions of the Church, when unobstructed by offence or dispute, are discharged.

I have referred in detail to the statute of the 26th Henry VIII., because of the importance of its subject-matter and the reference to it in subsequent statutes, and because it is sometimes alleged to be still in force[g]. This allegation, however, appears to be quite erroneous. The note on the Act in the Statutes at large directs our attention to the circumstances that the Act was repealed by the 1 & 2 Phil. and M., c. 8; and that, when the repealing Act was itself repealed, the repealing parts of it were saved, in the 1 Eliz., c. 1, except as to certain of the rescinded Acts therein particularized,

[g] Stephens's Eccles. Statutes, p. 177 n.

among which this is not contained. (See 1 Eliz., c. 1, sections 2—13.)

The enacting parts of the 1st of Elizabeth make no reference to the consent of the clergy.

We must then refer *to further proceedings to ascertain* within what limits the clergy recognised a lawful power, other than legislative, in the Crown, for ecclesiastical purposes.

The Thirty-seventh Article, adopted by the Convocation in 1562, but belonging to the number of those which do not appear to be included in the Act of 1570, (which requires the subscription of the clergy,) declares as follows:—

"The Queen's Majesty hath the chief power in this realm of England, and other her dominions; unto whom the chief government of all estates of this realm whether they be ecclesiastical or civil in all causes doth appertain, and is not, nor ought to be, subject to any foreign jurisdiction."

The canons of 1604 went farther; for they bound the clergy to maintain and cause to be maintained all that the civil power had done in regard to the supremacy. It is provided in the first of these canons, that they

—"shall faithfully keep and observe, and (as much as in them lieth) shall cause to be observed and kept of others, all and singular laws and statutes, made for restoring to the Crown of this kingdom the ancient jurisdiction over the State Ecclesiastical, and abolishing of all foreign power repugnant to the same."

And by the second, excommunication is decreed against those who shall affirm that the king hath not the same authority in causes ecclesiastical that the godly Jewish kings and Christian emperors enjoyed; or shall

—"impeach any part of his regal supremacy in the said causes restored to the Crown, and by the laws of this realm therein established."

In 1640 canons were passed, which were equally complete

with those of 1604 as Synodical Acts, and which like them received the royal assent, though they have never obtained the force of law. In the first of these, the supremacy is defined as attaching to the office of king generally rather than to that of the King of England in particular; and among other matter we find the following explanatory clause:—

"For any person or persons to set up, maintain, or avow, in any their said realms or territories respectively, under any pretence whatsoever, any independent *coactive* power, either papal or popular, (whether directly or indirectly,) is to undermine their great royal office, and cunningly to overthrow that most sacred ordinance which God Himself hath established; and so is treasonable against God as well as against the king."

Upon the whole it seems very evident that the statutory settlement, at the Reformation, of the ecclesiastical jurisdiction of the Crown was in part founded upon the anterior proceedings of the Church, and as to the rest accepted by her subsequently; and that she is fully and absolutely responsible for it in the most determinate manner; and not merely in the less determinate, though equally real, manner, in which she may become responsible, through continued and general acquiescence, for measures to which she has never directly been a party.

The provisions, then, of the temporal law, for which the Church thus became answerable by the direct and formal adoption of them, appear to have been as follows.

We pass by the 26 Henry VIII., because, as we have seen, it was not in force at any period after the reign of Mary.

The 1st of Elizabeth, c. 1, sect. 17, provided "that such jurisdictions, privileges, superiorities, and pre-eminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state

and persons, and for reformation, order, and correction of the same, and of all manner of errors, heresies, schisms, abuses, offences, contempts, and enormities, shall for ever, by authority of this present parliament, be united and annexed to the imperial crown of this realm."

And in the nineteenth section it provides that (among others) all bishops and ecclesiastical persons shall take the oath of the Queen's supremacy, which commences with the following clause:—

"I, A.B., do utterly testify and declare in my conscience that the Queen's Highness is the only supreme governor of this realm, and of all other Her Highness's dominions and countries, as well in all spiritual and ecclesiastical things or causes, as temporal."

But it is important to observe that the words which I have quoted no longer find place in the oath, as they were struck out of it when it was remodelled in the 1 G. & M., c. 8. The main operative enactment, therefore, to which the Church now stands bound by the terms of the canon is that of 1 Eliz., c. 1, sect. 17, uniting and annexing all lawful spiritual jurisdictions to the Crown. The present oath of supremacy merely repudiates the Papal supremacy, though in terms which, relatively to the present state of the law, are open to exception.

The clergy, however, at ordination and institution, subscribe to a clause in the thirty-sixth canon containing words similar to those of the oath of Elizabeth.

We have now before us the terms of the great statute which, from the time it was passed, has been the actual basis of the royal authority in matters ecclesiastical: and I do not load these pages by reference to declarations of the Crown, and other public documents less in authority than this, in order that we may fix our view the more closely upon the expressions of what may fairly be termed a fundamental law in relation to the subject-matter before us.

The first observation I make is this: there is no evidence in the words which have been quoted that the Sovereign is, according to the intention of the statute, the source or fountain-head of ecclesiastical jurisdiction. They have no trace of such a meaning, in so far as it exceeds (and it does exceed) the proposition, that this jurisdiction has been by law united or annexed to the Crown.

I do not now ask what have been the glosses of lawyers—what are the reproaches of polemical writers—or even what attributes may be ascribed to prerogative, independent of statute, and therefore applicable to the Church before as well as after the Reformation. I must for the purposes of this argument assume what I shall never cease to believe until the contrary conclusion is demonstrated by fact, namely, that in the case of the Church justice is to be administered from the English bench upon the same principles as in all other cases—that our judges, or our judicial committees, are not to be our legislators—and that the statutes of the realm, as they are above the sacred majesty of the Queen, so are they likewise above their ministerial interpreters. It was by statute that the changes in the position of the Church at that great epoch were measured—by statute that the position itself is defined; and the statute, I say, contains no trace of such a meaning as that the Crown either originally was the source and spring of ecclesiastical jurisdiction, or was to become such in virtue of the annexation to it of the powers recited; but simply bears the meaning, that it was to be master over its administration.

The powers given are corrective, not directive or motive powers—powers for the reparation of defect and the reform of abuse, but not powers on which the ordinary, legitimate, and regular administration of the offices of the Church in any way depends for its original and proper sanction.

Is this a mere refinement, or is it a valid and important

distinction? Is the authority entitled to redress evils in a given relation of life, or incorporation of men, of necessity that on which the regular discharge of the duties of that relation, the proper obligations attaching to membership in that society, depend?

The answer to this question will, I think, be found to depend on an anterior one, namely this, whether the given relation in life, or the given society, is one constituted by the State, or co-ordinate with (or anterior to) it. In the former case the hand of the State, by its own strength, imparts to the machine its movements; in the other it stands by, and only tempers, when need has arisen, the operation of an independent agency. Of an army, the State is the creative power, and as much directs what ought to be done as corrects what ought not to be done. On the other hand, the State did not create the family, yet it regulates, with a breadth of range that it rests only with itself to define, the relations of its members, yet subject to this great distinction, that whatever interference, as between man and wife, or as between child and parent, it may exercise, is always on the ground of faults committed or defects that have occurred, never to teach duty. The whole office of correction is not a normal office, but it is, as administered by man, an expedient; the best that the case admits of; a choice of the lesser evil; and it would be thought ridiculous to hold that the duties of kin were derived from the law of the land, for this reason, that the family is in fact anterior to the State, and independent of it, and has its duties marked out by the hand of God. But every one of these propositions is, as matter of historical truth, if we believe in the New Testament, no less incontestable concerning the Church, than it is concerning the family.

I say, therefore, it does not appertain to the State, by the nature of things, to be the origin of ecclesiastical jurisdiction.

If not, then, by the nature of things, has such an attribute come to it by compact? I answer, no: the compact of the Church and the State in regard to their constitutional relations is well defined by statutes founded on the prior or posterior consent of the clergy, and themselves conveying the consent of the laity; and the compact contains no such condition.

But another question remains: Has such a claim been *de facto* made and exercised by the State, say on the ground of prerogative or on any other ground, and is it actually our law, sanctioned on all hands by acquiescence and by use for a long tract of time?

I answer, no. There was indeed such a claim, and such an exercise of it, in the reigns of Henry VIII. and Edward VI.; more or less of it certainly must have been involved in the vicar-generalship of Cromwell, and in the episcopal commissions of both those reigns; for although those commissions only purported to confer on the prelates receiving them powers *præter et ultra* what had been imparted to them by Holy Scripture, yet they were powers on which the whole exercise of the office was immediately dependent, as was plain from the terms in which they were conveyed. The claim itself is palpable even in the letter of the proceedings of the reign of Edward VI., for in the *Reformatio Legum* it is declared respecting the king as follows:—"*Omnis jurisdictio, et ecclesiastica et secularis, ab eo tanquam ex uno et eodem fonte deriratur*[h].

Similar language may be found in the episcopal commissions, and in statutes of this reign. But the statutes were repealed, and remain so: the *Reformatio Legum* never gained the force of law: and with those commissions we have nothing whatever to do. The issue of them was an extravagant stretch

[h] Stephens's Eccles. Stat., p. 406. Similar expressions may be found in the reign of Henry VIII. See Collier, App. No. XLI.

of the power supposed to be latent in the admission of the royal headship. They were first issued by Henry, and after the demise of Edward VI. we hear of them no more. They were never issued by law: and the headship, of which the power to issue them may have been supposed an attribute, has itself, after subsisting for twenty-five years, been extinct for two hundred and ninety-six, as far as the Statute-book is concerned.

Whatever inference might be drawn from the use of the word Head is more than destroyed by the marked transition to the term Governor; and the idea which that term conveys is of a negative, not a positive character; it is that of a power which corrects, but does not actuate.

I have read with some surprise and much grief, in the work[1] of a clergyman of great ability and of undoubted theological learning, the assertion that in the time of Henry VIII. the See of Rome was both "the source and centre of ecclesiastical jurisdiction," and therefore the supreme judge of doctrine; and that this power of the Pope was transferred in its entireness to the Crown.

I will not ask whether the Pope was indeed at that time the supreme judge of doctrine: it is enough for me that not very long before the Council of Constance had solemnly said otherwise, in words which, though they may be forgotten, cannot be annulled.

That the Pope was the source of ecclesiastical jurisdiction in the English Church before the Reformation is an assertion of the gravest import, which ought not to have been thus taken for granted. It is one which I firmly believe to be false in history, false in Law—which in my view, as an Englishman, is degrading to the nation, and, as a Christian,

[1] The Royal Supremacy viewed in reference to the two Spiritual Powers of Order and Jurisdiction. By T. W. Allies, M.A., Rector of Launton, Oxon.

to the Church. This is simply to make the Pope universal bishop. But even Gratian, with his false Decretals, which magnified so enormously the Papal power, denies this office to the Pope in the following words, as cited by Van Espen: "*Universalis autem* (*episcopus*) *nec etiam Romanus pontifex appellatur*[k]." As to Van Espen's own judgment, it is almost needless to refer to particular passages. But again I go back to the Decretals, which themselves, as cited by him, declare that all the Apostles were sharers with St. Peter in the same honour and power: "*Cæteri vero Apostoli eum eodem pari consortio honorem et potestatem acceperunt*[l]." The fact really is this: a modern opinion, which by force of modern circumstances has of late gained great favour in the Church of Rome, is here dated back and fastened upon ages to whose fixed principles it was unknown and alien; and the case of the Church of England is truly hard when the Papal authority of the Middle Ages is exaggerated far beyond its real and historical scope, with the effect only of fastening that visionary exaggeration, through the medium of another fictitious notion of wholesale transfer of the Papal privileges to the Crown, upon us, as the true and legal measure of the royal supremacy.

It appears to me that he who alleges in the gross that the Papal prerogatives were carried over to the Crown at the Reformation, greatly belies the laws and the people of that era. Their unvarying doctrine was, that they were restoring the ancient regal jurisdiction, and abolishing one that had been usurped. But there is no evidence to shew that these were identical in themselves, or co-extensive in their range. In some respects the Crown obtained at that period more than the Pope had ever had; for I am not aware that the

[k] Van Espen, Comment. in primam partem Gratiani Dist. 99.

[l] Van Espen, Jus Eccles., Part I. tit. xvi. cap. 2.

Convocation required his licence to deliberate upon canons, or his assent to their promulgation. In other respects the Crown acquired less; for not the Crown, but the Archbishop of Canterbury was appointed to exercise the power of dispensation in things lawful[m], and to confirm episcopal elections. Neither the Crown nor the Archbishop succeeded to such Papal prerogatives as were contrary to the law of the land; for neither the 26th of Henry VIII. nor the 2nd of Elizabeth annexed to the Crown all the powers of correction and reformation which had been actually claimed by the Pope, but only such "as hath heretofore been or may *lawfully* be exercised or used[n]." But what was contrary to statute or to prerogative the Bishop of Rome could not lawfully do; and therefore, whatever he had done of this kind, the power to do was not annexed to the Crown by the Act. Nay, more, the title of the Act itself, which generally limits and bounds the force of the contents, and which describes in the clearest manner the intention of the Legislature, is not "An Act for annexing to the Crown the powers heretofore claimed or used by the See of Rome," but "An Act to restore to the Crown the ancient jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign powers repugnant to the same." The "ancient jurisdiction," and not the then recently claimed or exercised powers, was the measure and the substance of what the Crown received from the Legislature: and, with those ancient rights for his rule, no impartial man would say, that the Crown was the source of ecclesiastical jurisdiction according to the statutes of the Reformation. But the statutes of the Reformation era relating to jurisdiction, having as statutes the assent of the laity, and accepted by the canons of the clergy, are the standard to

[m] 25 Hen. VIII., c. 21, sect. 3—6.

[n] 1 Eliz., c. 1, sect. xvi. The words in 26 Hen. VIII., c. 1, are certainly not larger.

which the Church has bound herself as a religious society to conform.

This principle of return to the ancient jurisdiction received in the reign of Elizabeth a very special sanction. With the Queen's injunctions of 1559 there was an Admonition declaring it to be the meaning of the oath of supremacy that the Queen should have "sovereignty and rule over all manner of persons," "so as no other foreign power" should "have any authority over them." This was declared to be the ancient jurisdiction of the Crown, and the jurisdiction claimed by Henry VIII. and Edward VI.: and the statute 5 Eliz., c. 1, sect. 14, refers to the Admonition as fixing the legal construction of the oath, and limiting the obligation contracted by it.

At the same time there are cases on record in which the royal jurisdiction was asserted for the supply of defects, so as to go beyond the general definition of a simply corrective power. Such were the suspensions of Archbishop Grindal and Archbishop Abbot. Of these suspensions I shall only say that I apprehend much stronger instances might be found of interference by sovereigns to defend the Church against her own official rulers, which have been always considered just and laudable under peculiar circumstances, however undesirable as a general rule; and that the purpose in these cases undoubtedly was so to defend it, and to prevent its laws from being undermined and its system sapped by a latitudinarian spirit enthroned in its primatial chair. The absolution of Archbishop Abbot from the canonical incapacity incurred by his having killed a man by accident, has been named as a signal instance of the height to which the supremacy was carried, but to me it appears a case so purely of the exterior forum as hardly to touch the question; and the instrument of dispensation itself bears the most distinct testimony to the fact that his character as a bishop, and not the decree of the

Crown, was regarded as the source of his authority: it was a commission to bishops, issued on the prayer of the Archbishop: it declared itself to be issued "*ad cautelam et ex superabundanti, ad abundantiorem cautelam, ad majorem cautelam:*" and its purpose is "*ut in susceptis ordinibus et jurisdictionibus secundum concreditam sibi ratione ordinis et archiepiscopatûs sui potestatem liberè ministrare . . . valeat*[o]." But besides the executive acts of suspension above named, we have another remarkable fact, a favourite one with Roman Catholic controversialists, in the Statute 8 Eliz., c. 1, which relates to the consecrations of the first bishops of that reign.

As to this Act of Parliament I would observe, in the first place, that it carefully avoids pretending to confer *proprio vigore* the episcopal character or power. It is entitled "An Act *declaring* the making and consecrating of the Archbishops and Bishops of this Realm to be good, lawful, and perfect." The doubts or questions which it recites in the preamble, are on the point "whether the same were and be duly and orderly done *according to the law* or not[p]:" the remedy is partly to *shew* that it has been "duly and orderly done, according to the laws of this realm;" and partly "to provide for the more surety thereof." It appears that Bishop Bonner had alleged that the Ordinal, repealed along with the Prayer-book in the reign of Mary, had not been separately named in the reviving Statute 1 Eliz., c. 2[q]. The objection seems to have been frivolous, since neither was it expressly named in the statute of repeal. And the true meaning to be assigned to the Act appears to be this; that it was passed *ex majori cautelâ*, not because the doubts entertained were supported by any strength of reasoning, but because the consecration of the bishops was the corner-stone of the ecclesiastical order, and it was therefore thought necessary to give it all the support

[o] Collier, ix. 376. [p] Preamble, 8 Eliz., c. 1.

[q] Gibson's Codex, p. 100.

and sanction which it could derive as matter of law from the most express and detailed provisions.

Let us however suppose, as may be the case, that the Act had a wider purpose than merely to meet this technical cavil on the wording of the Statutes; that it contemplated, and sought to meet, the whole of the objections urged by the partisans of the Roman See against the consecration of Parker in regard to mission and jurisdiction. Does it in this point of view sustain any such inference as that the Church of England denies the existence "of any special power to govern the Church beyond that which is in the civil magistrate[r]?" Be it observed all along, the question is not whether the Statutes of the Reformation affirmed anew that which, according to the laws of the Church, was already sufficiently affirmed for ecclesiastical purposes alone; but whether in making such affirmation they denied either directly or by implication that the matter in hand might have a distinct spiritual basis independent of secular legislation.

We will assume, then, that the Statute intended to exclude and put to silence all objections, to include in its purview all the circumstances of the consecration of Parker, and to assert the validity of his mission and jurisdiction. Now this I allege might be done, with perfect consistency, by those who were most firmly convinced that, for spiritual purposes, all these were already valid; because upon that validity depended not spiritual acts only, but a great number of secular, and perhaps a yet greater number of mixed transactions, appertaining to bishops, and utterly incapable of deriving validity from theological argument, or from any source whatever except the law of the land. Suppose, for instance, that a tenant of the See of Canterbury had refused to pay rent to Parker under a lease, on the ground that he was not a lawful incumbent. The very best treatise, that a Courayer could

[r] Allies, p. 61.

have written to shew that Parker had mission and jurisdiction in the sense of the Church, would not have availed him; nothing but a statute would have redressed the wrong; and it was therefore reasonable to pass a statute for the purpose. And if its general aim did not disparage the inherent faculties of the Church, neither did its language; for both in title and in preamble, as I have shewn, it confined itself to legal regularity; and in the enacting clause touching the bishops and clergy concerned, the provision is really worded with the utmost care, so as to avoid the supposition of a pretension to give spiritual power; it being this: that the said bishops and clergy

"Be in very deed, and *also* by authority hereof declared and enacted to be, and shall be, archbishops, bishops, priests, ministers, and deacons, and rightly made, ordered, and consecrated."

Had the intention been confined to clearing up a doubtful point of statute law, the enactment would simply have declared these persons to be bishops and clergy respectively: there was no room for a distinction between what they "be in very deed" and what they are to be "declared and enacted to be;" but the distinction is marked in the strongest manner by the word "also;" and in truth, while they were recited to be bishops of the Church simply, they were declared and enacted to be bishops of the Church according to the laws having force within the realm.

Nor will it avail to say that the Legislature herein recognised only what is called the power of order as inhering in the Church, and not jurisdiction. For the exercise of the power of order, or the conveyance of the episcopal character, is itself an act of jurisdiction: the whole question in doubt in this case was, whether its exercise had been good, as to certain particular instances, in the eye of law. It was expressly affirmed by the words which I have cited to be valid in very

deed as to the conveyance of the episcopal character, apart from the enactment declaring and constituting it valid for the purposes of law, which is only to say, in other words, that the exercise of jurisdiction was averred to be valid for spiritual purposes apart from the sanction of the Legislature.

To sum up the whole, then, I contend that the Crown did not claim by statute, either to be of right, or to become by convention, the *source* of that kind of action, which was committed by the Saviour to the Apostolic Church, whether for the enactment of laws or for the administration of its discipline: but the claim was, that all the canons of the Church, and all its judicial proceedings, inasmuch as they were to form parts respectively of the laws and of the legal administration of justice in the kingdom, should run only with the assent and sanction of the Crown. They were to carry with them a double force: a force of coercion, visible and palpable; a force addressed to conscience, neither visible nor palpable, and in its nature only capable of being inwardly appreciated. Was it then unreasonable that they should bear outwardly the tokens of that power to which they were to be indebted for their outward observance, and should work only within by that wholly different influence that governs the kingdom which is not of this world, and flows immediately from its King?

But while I am unable to find in the laws or principles of the Reformation, as it was settled among us, any acknowledgment that the Crown is the source of ecclesiastical and spiritual jurisdiction, I will go a step further and say, that although this is not language which could be legitimate and safe in the mouth of the Church, it is neither unintelligible nor of necessity intolerable as the language of law and of its professors.

Whether the Church can exist in security and work in peace by the side of a system of law framed on such a prin-

ciple, or, which I take to have been our case, where the members of the legal profession have favoured the attachment of such a sense to laws not requiring and in strictness not properly admitting it, is a question of vital importance, but one, as far as appears to me, to be determined according to times and circumstances carefully considered, and not by hasty inferences from abstract principle.

Holding, then, by the proposition, that the Church cannot be made responsible for glosses put upon the law to her prejudice, and for the professional traditions which may influence the courts, but of which she cannot minutely follow the rise, and against which she has no means of contending till a crisis is brought about; but that she is properly and morally responsible only for those statutes in their plain meaning which she has formally accepted, or else made her own by evident, general, and continued acquiescence—I should wish also, and earnestly, to represent how much is to be said on behalf of the royal supremacy, even as it is commonly understood by that profession which has always been jealous, and within certain limits legitimately jealous, of ecclesiastical power. Even if we superadd to the restraints imposed by law upon the legislative power of the Church the doctrine that the Crown is the fountain of ecclesiastical and spiritual jurisdiction,—even if we allow this, for argument's sake, as a true description of the legal relation to the Crown which the Reformed Church has inherited,—still I say, do not let the men of this day be too hasty in consigning the memory of their forefathers to condemnation and disgrace, but let us consider whether, even under these hard and untrue conditions, it can be pleaded against the Church of England that she has made over her spiritual trust to a secular power, and sold herself for gold.

Strong, indeed, are the general reasons, applicable to the state of society which has until recently prevailed, for

a close amalgamation between ecclesiastical and civil authority. They are founded in human nature, and in the nature of the societies which are the depositaries of each power respectively. They are painfully illustrated by the convulsive struggles arising out of those collisions that history records.

We have been thus far on the question of fact, what the actual constitution was. We come now to the question of right, how far it was accordant with the nature and obligations of the bodies concerned.

The temporal aspects of the life of man have ever been, and must always be, in the closest relations with the spiritual. Before the advent of our Lord the system now called Erastian prevailed: it has all the authority of Pagan precedent. Creed, priesthood, ritual, all that constituted the religion of the masses of mankind, were in a subjection to the State, only qualified by such advantage as the necessities of the civil power and the superstition of the vulgar secured to the priesthood. The religion of the world was broken up into fragments, and the State determined the order and the relations in which these should stand side by side. It was a power born to universal command, and to very high and sacred duties. Its first and inalienable vocation, says Savigny[s], was to make the idea of right as between man and man dominant in the visible world. What part of life is there, whether domestic, civil, or religious, that is not in some sense touched by this all-embracing yet, I must add, this just definition? But after the promulgation of the Gospel it was found that a new society had been established in the world, claiming to pervade all lands and to command the allegiance of all men in each of them. This allegiance, too, though spiritual in its kind, yet reached in some sense to all their acts, because all the acts of a Chris-

[s] Savigny, Röm. Recht., b. 1, c. 2, s. ix.

tian were to be done to the glory of God, and therefore must needs be under the guidance of the spiritual principle, which had its home in the Church, and whose light came by the channel of her teaching. It is true that this latter kingdom was a kingdom not of this world, but it was in this world; it had numberless points of necessary contact with its affairs, and the infirmity and corruption that belong to man, in or out of the hierarchy, wrought constantly to increase them by adding others which were needless and hurtful to spiritual ends. How to adjust the claims of these two authorities upon the same ground and in the same subject matter, each claiming universal command, though in respects primarily distinct, was a problem, not indeed impossible of solution, but yet the most difficult, as history bears witness, that has ever been presented to man in his social relations.

There were indeed periods, such as that of Constantine, and more especially of Justinian and Charlemagne, when the harmony of the Church and the State might have seemed to be perfect, and yet all that was necessary for the separate freedom of each to be secured. But there were other periods, extending over generations, or even centuries, when miscarriages in regard to this problem had convulsed Christendom with its longest and bloodiest wars. In no country had there been more frequent and habitual collision than in our own, between the civil power on the one hand, and the Papal chair, with its English partisans, on the other.

Now the records of history appear to shew that in days long antecedent to the Reformation, which were prosperous and honourable to both the parties in this great arbitrement, the basis on which they co-operated was this: the civil power lent the support of law and the strong hand to the decrees of the Church, and aided her to make head against the anarchy of the times; the Church promulgated those decrees under the sanction of the civil power, and thus afforded it an ade-

quate guarantee against the encroachments of priestly ambition, while to the people law was presented as an unity, and escaped the risk of losing by division, and perhaps by conflict, the force of its claim on their obedience. It is not necessary to examine up to what precise point this is true, or whether at any time it extended so far as to a formal contract on the part of the Church, surrendering her separate action: all that is now assumed is this, that in such periods as those of Justinian and Charlemagne the general rule was such as has been described[t]. The submission of the English clergy carried that general rule into fixed agreement.

But although the rules of ecclesiastical order thus went forth in the garb and with the sanctions of civil law; there was no real disparagement in this to the office of the Church, because the hand of the State in Church affairs which externally affixed the seal of law was guided by the mind of the Church. It was not the mere personal will of Justinian that framed the Pandects, and in them gave to the world an immortal store of the principles of civil jurisprudence, but it was the legal mind of his age that collected from all points and reduced into written maxims the matured fruits of former wisdom and experience, and fashioned them for systematic and authoritative use: so in the work of ecclesiastical legislation, although the stamp of civil sovereignty gave visible and coercive authority to legislation that was to bind at once in the exterior and the interior *forum*, it was the mind of the Church that advised and informed the Emperor, and practically determined the matter to which obedience was to be paid.

The conditions under which Church-power was to be exercised and issued were, in truth, much more than any ques-

[t] This subject has been very ably treated in an article of the "Christian Remembrancer," for April, 1850, entitled "Church and State."

tion of endowment, the real terms of the contract between Church and State. Endowment, as it became the foundation of patronage, became also the subject of an important and difficult section of Church-law; but that reciprocity of concessions and intermixture of action, which lies at the root of the idea of contract, is hardly traceable in the history of endowments beyond the one very weighty question of the law of patronage: it is in the mechanism devised for Church legislation that the contract of the State with the Church is mainly to be read.

The apology, therefore, or excuse of the English clergy when they made their celebrated submission to Henry VIII., and formally conceded to him both the initiative and the veto upon ecclesiastical canons, is surely to be found in this—that they may have looked back upon the incessant struggles of England with the Papacy during the centuries from the Conquest to their own for warning, and yet further back upon the great and cardinal periods of the history of the Church, under the three Emperors in particular who have been named, for imitation; and that in those periods they probably perceived how, where Church-law was running under the authority of a State all whose members individually owned allegiance to the Church, the Catholic faith grew in honour and in extension, and the guarantees of social order were maintained. They had also another precedent, less commanding in dignity, but nearer to them, and yet closer to the subject, in the promulgation of the ecclesiastical laws of Anglo-Saxon times under the ostensible authority, not so much joined as mixed, of all those who met in the councils of the nation, whether spiritual or lay persons: a precedent to which they might reasonably give much weight.

Nay more: this is, surely, an explanation of their conduct much more according to charity than the supposition that the

bishops and clergy of a great Christian kingdom, and that kingdom our own noble and true-hearted England, were so drowned in corruption and so lost to every consideration of decency and honour, that with their eyes open they surrendered to the secular authority the sacred charge of the Church in the custody of the Christian faith and discipline; but it is also far more rational as well as more charitable, first because these extravagant imputations of universal degradation to such bodies of men are in reality, as a general rule, fanatical and irrational to the highest degree; secondly, because the basis upon which they placed themselves was not in the main a novel invention, but one known to history, and recommended by the actual working of the relations of the Church and the State when they had been founded upon it. Of course it is not intended to question that secondary motives may have had a very large share in producing the decision at which the English Convocation then finally arrived. Probably, without the fear of the *premunire* and of the violent character of the King, that decision might not have been attained. But those who would on this account shut out the possible concurrence of better motives, should recollect that all the impure considerations were not on one side. Ambition and cupidity would incline the clergy to retain their powers with the same kind of force, and perhaps with as much force, as the fear of *premunire* would prompt their relinquishment. The question is, did they deliberately sacrifice on the altar of Mammon the sacred deposit of Church authority? I say no: they gave to the Crown an absolute control over ecclesiastical legislation, in conformity with the tendencies which the works of some unreforming bishops had evinced, even before Henry's quarrel with the Pope; in conformity with the known practice, if not with any abstract declaration of the ages best to follow, and probably in a trust not unreasonable that the more frank and formal adoption of

the same principles would be attended with the same happy results.

It does not, indeed, seem too much to express a doubt, whether there was any other way than the concession of this control over ecclesiastical legislation to the Crown, by which the order of civil society could, in those times of profound movement and imperfect social organization, be maintained.

Let us not judge the deeds of that generation by standards transferred to them from our own time and experience. We see countries in which religious communities make regulations for themselves, apart from any sanction of the State, other than the protection which it affords to all agreements not contrary to the public law. But how great are the changes by which separate action of this kind has been rendered practicable and safe to society! How has the domain of ecclesiastical legislation been narrowed; the possessions of the Church reduced from a third in some countries, and in others even a half, to a fifteenth or a hundredth part of the aggregate property of the country: above all, the religious disintegration of the body, the sway of private opinion, the diversity of sects and schemes of religion that now prevail, have so neutralised and wasted the political forces (so to speak) of religion, that freedom, as we have recently seen in Scotland, is the utmost to which she aspires, and that of encroachment on civil right, when free, she does not dream.

Yet even now there is no European country in which ecclesiastical societies are exempt from civil control: if we except the melancholy instance in which Religion still with her own hands administers a kingdom of this world, and withholds from the people rights analogous to those of other nations not more worthy, upon the miserable and most destructive plea, that their political servitude is necessary to the ecclesiastical order of the rest of the Roman communion. An in-

stance most melancholy, because the interests of religion are thus represented as requiring, in a form the most unequal, civil degradation for their support; and because, alone among Christian states, the throne of the greatest bishop of Christendom depends not on the will, the wisdom, the affections, or even the indifference, of the people, but is wholly and undisguisedly sustained, in despite of their aversion, and in constant fear of their resistance, by foreign arms.

But to pass to the rule from the exception, or rather the inversion, which perhaps confirms it: in every other country of Europe the Church is still, even for spiritual purposes, in more or less of subordination to the State. I do not speak of the yet untested, and among us but imperfectly detailed, concessions to the Church in Austria, of which we have but just heard. The known law of Austria was one of stringent control. Even in France and in Belgium, where she has gained so greatly by revolutions, she is still under such control, in respect to that large portion of her work which is connected with the education of the young. It may, indeed, be said, and with truth, that the principle of this control is admitted very generally by the Protestants of the Continent, while in the case of the Roman Catholics it is rendered necessary by their connection with a foreign see; but that as all such connection was cut off by the acts of the reign of Henry VIII., the Church, deprived of her alliances abroad, might have been left more free. I waive the question, on which much might be said, whether, as matters then stood, the abolition of the Papal jurisdiction was to the Church of England more *per se* a privation or a relief. But those who assume without question that her freedom need have caused to the civil power no just alarms, should remember what a powerful incorporation she was at the time. As to property, she was possessed of a third part of the land of the kingdom. As to learning, she alone directed the whole machinery of

education. As to law, her ministers were an isolated, and for all the most important purposes, including that of taxation, a self-governing community. As to direct political power, her bishops and abbots were a numerical majority of the most important of the two Houses of Parliament. As to influence, her command over personal action by sacramental confession was such, as would alone have sufficed for her security. Looking back to these and other facts, I for one cannot censure either those who asked, or those who agreed, that all the legislative proceedings of the Church should thenceforward be subject to the permission and sanction of the Crown; provided only they had reason to suppose that the powers which they then consented to recognise were to be used towards the clergy and the Church, as it was the duty of the Crown to employ all other powers owned by the constitution; that is to say, in the spirit of general equity and justice, according to the paths of law and usage, and for the advantage of the subject.

Before leaving the question as to legislation for the Church, I would observe, that those who are arguing that the Church of England abandoned her office at the Reformation, and therefore has lost its authority, must, on every ground of right and reason, proceed *strictly*. It will not do to convict her of constructive treason, a doctrine leaving no defence to innocence against the bias of the judge. In her, as in every other body, the legislative was the highest power. Did she, or did she not, ever make a semblance of surrendering it? Only we must not answer this question by mixing up together all that belonged to the arbitrary character of the King, the confusion of the times, the real necessities of such times, the general tendency to heighten prerogative and restrain liberty, the claims of rival power, the high-flown ideas of prerogative lawyers; and then, out of all these jointly, filling up every gap with hostile inferences, piece together

the members of a charge, not against the men, but against the institution of which they were the trustees.

Regarding, then, the case as it stands in evidence, I cannot find the slightest trace of anything beyond control given to the Crown, with respect to the enactment of Church canons. The Reformation statutes did not leave the Convocation in the same position, relatively to the Crown, as the Parliament. It was under more control; but its inherent and independent power was even thereby more directly recognised. The King was not the head of Convocation; it was not merely his council. The Archbishop was its head, and summoned and prorogued it. It was not power, but leave, that this body had to seek from the Crown, in order to make canons. A canon without the royal assent was already a canon, though without the force of law; but a bill which has passed the two Houses is without force of any kind, until that assent is given. Again, the royal assent is given to canons in the gross, to bills one by one; which well illustrates the difference between the control in the one case, and the actuating and moving power in the other. But the language of those instruments respectively affords the clearest and the highest proof. In the Canons (Canon I.) we find the words, "We decree and ordain;" that is, we the members of the two Houses of Convocation. But in our laws, "Be it enacted, by the King's most excellent Majesty, with the advice and consent of the Lords spiritual and temporal, and Commons." Whereas in the canons the King does everything except enacting: with a remarkable accumulation of operative words he assents, ratifies, confirms, and establishes; propounds, publishes; and enjoins and commands to be kept.[u] Every one of these words recognises that the canon has a certain force of its own, while it purports to convey, and does convey, another force. In the one case the Crown is the fountain of

[u] Letters Patent, appended to the Canons of 1604.

the whole authority of the law; the Lords and Commons are its advisers. In the other, the Convocation decrees and ordains; the King gives legal sanction and currency to that which, without such sanction, would have remained a simple appeal to conscience. In statutes, the King enacts with the advice and assent of Parliament; in canons, the Convocation enacts, with the licence and assent of the Crown. I now speak not of what is desirable or otherwise, but simply of the matter of fact: from which it appears that the idea of a separate spiritual power for legislative purposes was much more carefully preserved (and with good reason) by the statutes of Henry VIII., than it had been when Church-law went forth in the Capitularies of Charlemagne, or the Code and Novels of Justinian, undistinguished as to the form of its authority from laws purely civil.

Let it be seriously considered whether, so far as the essence of the principles of the Church is concerned, there was any violation of them in this submission and promise of the clergy, more than in the *Placitum regium* which the See of Rome itself, with however bad a grace, has been obliged to endure, and which the whole Gallican Church, the most learned and illustrious of all the daughters of the Roman See, and with it the entire Cisalpine school, cordially received. This *Placitum*, says Van Espen, comes to exist in consideration of the necessary impact of ecclesiastical laws upon the civil rights and secular interests of men. It cannot be restricted to any particular class of subjects. It reaches even to those bulls of the Pope which are dogmatical. "*Ex hactenus dictis concluditur, placitum regium æquè requiri ante publicationem bullarum dogmaticarum, quam cæterorum rescriptorum.*" And he quotes an author much more favourable than himself to the Papal power, who nevertheless holds it allowable:—

"*Potestatem sæcularem mandare aut constituere, ut sine*

suo beneplacito et examine nemo parcat hujusmodi Litteris, vel executioni mandet easdem [x]."

It seems to be becoming a fashion in France, not merely to disown Gallicanism, but to denounce it as a schism, and even as a heresy. But the growth of that fashion, however it may tend to simplify the plea for the Roman Church, does so at the expense of history, and of the ultimate interests of all Christian belief; and in no way derogates from the real force of the precedents which the case of France affords, as they are applicable to the times of which we now treat.

But while, according to the letter and spirit of the law, such appear to be the limits of the royal supremacy in regard to the legislative, which is the highest, action of the Church, I do not deny that in other branches it goes farther, and will now assume that the supremacy in all causes, which is at least a claim to control at every point the jurisdiction of the Church, may also be construed to mean as much as that the Crown is the ultimate source of jurisdiction of whatever kind.

Here, however, I must commence by stating, that, as it appears to me, Lord Coke and others attach to the very word jurisdiction a narrower sense than it bears in popular acceptation, or in the works of canonists; a sense which excludes altogether that of the canonists; and also a sense which appears to be the genuine and legitimate sense of the word in its first intention. Now, when we are endeavouring to appreciate the force and scope of the legal doctrine concerning ecclesiastical and spiritual jurisdiction, it is plain that we must take the term employed in the sense of our own law, and not in the different and derivative sense in which it has been used by canonists and theologians. But canonists themselves bear witness to the distinction which I have now pointed out. The one kind is *Jurisdictio coactiva, propriè*

[x] Van Espen de Promulg. Leg. Eccles., Part V., cap. 2, sec. iv.

dicta, principibus data; the other is *Jurisdictio improprié dicta ac mere spiritualis, Ecclesiæ ejusque Episcopis a Christo data*[y]."

Nor was it wholly lost sight of even in the reign of Henry VIII., as is evident from the Episcopal Commission, and from a remarkable paper in Collier's Appendix, where we are told that the clergy of England have of the king "all manner of jurisdiction and goods; save only such mere spiritualties as were granted unto them by the Gospels and Holy Scriptures[z]."

Properly speaking, I submit that there is no such thing as jurisdiction in any private association of men, or anywhere else than under the authority of the State. *Jus* is the scheme of rights subsisting between men in the relations, not of all, but of civil society[a]; and *jurisdictio* is the authority to determine and enunciate those rights from time to time. Church authority, therefore, so long as it stands alone, is not in strictness of speech, or according to history, jurisdiction, because it is not essentially bound up with civil law.

But when the State and the Church came to be united, by the conversion of nations, and the submission of the private conscience to Christianity—when the Church placed her power of self-regulation under the guardianship of the State, and the State annexed its own potent sanctions to rules, which without it would have been matter of mere private contract—then *jus* or civil right soon found its way into the Church, and the respective interests and obligations of its various orders, and of the individuals composing them, were regulated by provisions forming part of the law of the land. Matter ecclesiastical or spiritual, moulded in the forms of civil law,

[y] Van Espen, Deductio Juris et Facti, cap. iii., vol. iv., p. 273, ed. 1753. [z] Collier, ix. 165.

[a] "*Jus hominum situm est in generis humani societate.*"—Cic. Tusc. i. c. 26.

became the proper subject of ecclesiastical or spiritual jurisdiction, properly so called.

Now inasmuch as laws are abstractions until they are put into execution, through the medium of executive and judicial authority, it is evident that the cogency of the reasons for welding together, so to speak, civil and ecclesiastical authority, is much more full with regard to these latter branches of power than with regard to legislation.

There had been in the Church, from its first existence as a spiritual society, a right to govern, to decide, to adjudge for spiritual purposes; that was a true self-governing authority, but it was not properly jurisdiction. It naturally came to be included, or rather enfolded, in the term, when for many centuries the secular arm had been in habitual co-operation with the tribunals of the Church. The thing to be done, and the means by which it was done, were bound together; the authority, and the power, being always united in fact, were treated as an unity for the purposes of law. As the potentate possessing not the head but the mouth or issue of a river, has a right to determine what shall pass to or from the sea, so the State, standing between an injunction of the Church and its execution, has a right to refer that execution wholly to its own authority.

There was not contained or implied in such a doctrine any denial of the original and proper authority of the Church for its own self-government; or any assertion that it had passed to and become the property of the Crown. But that authority, though not in its source, yet in its exercise, had immersed itself in the forms of law; had invoked and obtained the aid of certain elements of external power, which belonged exclusively to the State, and for the right and just use of which the State had a separate and independent responsibility, so that it could not without breach of duty allow them to be parted from itself. It was therefore, I submit, an intelligible,

and under given circumstances, a warrantable scheme of action, under which the State virtually said: Church decrees, taking the form of law, and obtaining their full and certain effect only in that form, can be executed only as law, and while they are in process of being put into practice can only be regarded as law; and therefore the whole power of their execution, that is to say all jurisdiction in matter ecclesiastical and spiritual, must, according to the doctrine of law, proceed from the fountain-head of law, namely, from the Crown. In the last legal resort there can be but one origin for all which is to be done in societies of men by force of legal power: nor, if so, can doubt arise what that origin must be.

If you allege that the Church has a spiritual authority to regulate doctrine and discipline, still, as you choose to back that authority with the force of temporal law, and as the State is exclusively responsible for the use of that force, you must be content to fold up the authority of the Church in that exterior form through which you desire it to take effect. From whatsoever source it may come originally, it comes to the subject as law, it therefore comes to him from the fountain of law. He is not to ask, from whence it came to that fountain: whether, like the temporal power, from God directly but indeterminately; or whether it came from Him indirectly but determinately—indirectly as through the medium of the Church, but determinately as cast in the mould of her Faith. The faith of Christendom has been received in England: the discipline of the Christian Church, cast into its local form, modified by statutes of the realm, and by the common law and prerogative, has from time immemorial been received in England; but we can view them only as law, although you may look further back to the divine and spiritual sanction, in virtue of which they acquired that social position, which made it expedient that they should associate with law, and should therefore become law.

This distinction is well expressed in one of the statutes of Henry VIII. with respect to the Papal privileges:—

"This your Grace's realm, recognising no superiority under God but only your Grace, hath been and is free from subjection to any man's laws, but only to such as have been devised, made, and obtained within this realm, for the wealth of the same, or to such other as, by sufferance of your Grace and your progenitors, the people of this your realm have taken at their free liberty by their own consent to be used among them, and have bound themselves by long use and custom to the observance of the same, *not as to the obeyeance* of laws of any foreign prince, potentate, or prelate, but as to the customed and ancient laws of this realm, originally established as laws of the same, by the said sufferance, consents, and customs, and none otherwise[b]."

That is to say, the origin of the matter of the law might be one thing, and the aspect under which it was to be regarded as law was another.

Nor was this principle, thus broadly laid down, without its proper safeguards; for it was in this very Act of Parliament that, while claiming for England an absolute control over the whole body of law, current or to be current in England, apart from any standing foreign authority, the Parliament inserted the very remarkable section, which imposes a certain limit on the interpretation of the Act, apparently for the purpose of introducing a solemn declaration of principle. It commences thus:—

"Provided always, that this Act, nor any thing or things therein contained, shall be hereafter interpreted or expounded that your Grace, your nobles and subjects, intend by the same to decline or vary from the congregation of Christ's Church in any things concerning the very articles of the Catholic faith of Christendom, or in any other things declared by Holy Scripture and the word of God, necessary for your and their salvations, but only to make an ordinance by policies necessary and convenient to repress vice, and for good conservation of this

[b] 25 Hen. VIII., c. 21, Preamble.

realm in peace, unity, and tranquillity, from ravin and spoil, insuing much the old ancient customs of this realm in that behalf [c]."

In this Act, and in the whole legislation of the time, the divine law seems to be taken for granted as something known to all, and never to be the subject of doubt or change. They no more thought of alteration in that respect, or of vindicating a jurisdiction over it, than we should with respect to the laws of arithmetic. In comparing that period with this, and in construing those laws, we should take into account the declining force and clearness of faith in objective, that is, in substantive, fixed, and independent truth.

Now in these observations concerning the common legal doctrine about ecclesiastical jurisdiction, I have not strained, as I believe, the constitution of the country to suit a favoured purpose; nor, on the other hand, in admissions gone beyond the range of principles that have been held by high and established authorities, even within the Church of Rome.

I have suggested, that in asserting the Crown to be the source of ecclesiastical jurisdiction, we should not necessarily deny that original self-governing authority in the Church, which is so notorious in history that it the less requires to be guarded by verbal recognitions; but leave the question entirely open, how and from what source that authority, or any part of it, came *to* the Crown. And this assertion I will support, by pointing out the existence of an exact parallel as regards secular jurisdiction. It is the unequivocal doctrine of the constitution, that the sovereign is the fountain-head, in relation to the subject, not only of all executive and judicial power in civil matters, but of the power of legislation. But yet I apprehend it is open to any man to question, without offence, whether that power is derived *to* the Crown from the ordinance of God, or whether through the popular consent?

[c] 25 Hen. VIII., c. 21, s. 19.

delegation. In the one case there is nothing between the Crown and the Divine ordinance; which is the Erastian theory when applied to the Church, and, if taken in its native rigour, the theory of the Non-jurors as it affects the State. In the other case we may, as political speculatists, either rank with those who nakedly hold the popular sovereignty, or with those who choose a firmer and safer ground in the traditions of English history, and shew from them, that according to the actual development of our constitution, the Crown had not only duties towards the nation, but duties founded on compact. And in like manner, we may acknowledge the ecclesiastical jurisdiction of the Crown without in any degree disparaging the inherent self-governing capacities of the Church. We may give reasonable effect to the facts of Christian history, recording the foundation by our Lord Himself of a spiritual society—its endowment with the powers of teaching and self-government—its propagation through the countries of the earth—its succession through the centuries of history—and regard the annexation of its spiritual authority, in any of its branches, to the civil power, as one of the many incidents of its varied but never-failing fortunes, an incident becoming, under a course of favourable circumstances possible, useful, necessary; and then again, when the tide has turned, capable of a tendency to become inconvenient, or useless, or even immoral and destructive.

The other assertion, that this doctrine is one which has had high countenance among the most reasonable theologians of the Roman Church, I shall simply support by a quotation from Van Espen, which, when it was called in question, he explained by stating, agreeably to what I have already cited, that it referred to all jurisdiction properly so called.

"*Verum sicuti Ecclesiæ atque religionis curam crediderunt Principes Christiani ipsis Episcopis tanquam præcipuis ejus ministris, et Apostolorum successoribus, ita quoque ipsis correc-*

tionem eorum, quæ Ecclesiam et religionem, ejusque disciplinam spectant, detulerunt; præsertim tamen si quid, quod hanc turbaret, a clericis, seu inferioribus Ecclesiæ ministris, fieri contingeret[d]."

The real question, I apprehend, is this: when the Church assented to those great concessions which were embodied in our permanent law at the Reformation, had she adequate securities that the powers so conveyed would be exercised, upon the whole, with a due regard to the integrity of her faith, and of her office, which was and has ever been a part of that faith? I do not ask whether these securities were all on parchment or not—whether they were written or unwritten—whether they were in statute or in common law, or in fixed usage, or in the spirit of the constitution and in the habits of the people—I ask the one vital question, whether, whatever they were in form, they were in substance sufficient?

The securities which the Church had were these: first, that the assembling of the Convocation was obviously necessary for the purposes of taxation; secondly, and mainly, that the very solemn and fundamental laws by which the jurisdiction of the see of Rome was cut off, assigned to the spirituality of the realm the care of matters spiritual, as distinctly and formally as to the temporalty the care of matters temporal: and that it was an understood principle, and (as it long continued) a regular usage of the constitution, that ecclesiastical laws should be administered by ecclesiastical judges. These were the securities on which the Church relied; on which she had a right to rely; and on which, for a long series of years, her reliance was justified by the results.

I shall now endeavour to support the representation which I have given of the legal doctrine concerning ecclesiastical jurisdiction by citations; and I shall refer chiefly to Lord

[d] Van Espen, Jus Eccl. Univ., part iii. tit. iii. cap. 1.

Coke, because, as he was both a high prerogative lawyer, and of Erastian tendencies in regard to the Church, whatever can be proved from his mouth in her favour may be regarded as proven *à fortiori;* supporting, at the same time, my allegations as to the securities on which the Church warrantably relied, by reference to the statutes of the period.

Lord Coke, then, appears to proceed most unequivocally upon these principles—and to proceed upon them, not as debateable matter, but as maxims placed beyond all doubt by the theory and practice of the constitution:—

That all jurisdiction, as well ecclesiastical as temporal, proceeds from the Crown[s].

That all the laws of the realm are the King's laws.

And all the courts of the kingdom the King's courts: and this whether their acts run in the King's name, or in the names of bishops, lords of manor, or other subjects.

That the Church of England has no laws except such as are laws of the realm.

That all the laws of the realm affecting the Church are likewise laws of the Church.

That the 24 Hen. VIII., c. 12, is a great constitutional statute, distinctly marking out a province of ecclesiastical, and another province of civil, causes.

That the laws ecclesiastical are for the settlement of "causes of the law divine, or of spiritual learning[t]."

That the laws temporal are "for trial of property of lands and goods, and for the conservation of the people of this realm in unity and peace, without rapine or spoil[u]."

That the laws ecclesiastical are necessarily to be administered in ecclesiastical courts and by ecclesiastical judges[v]: as the laws temporal are "administered, adjudged, and executed by sundry judges and ministers of the other part of the

[s] See also Phillimore's Burn, vol. II. p. 61. [t] 24 Hen. VIII., c. 12.
[u] Ibid. [v] Cawdrey's Case, p. lxxvii.

said body politic, called the temporalty: and both these authorities and jurisdictions do conjoin together in the due administration of justice, the one to help the other[i]."

That "the archbishops, bishops, and their officers, deans, and other ministers which have spiritual jurisdiction," are "the King's judges" for ecclesiastical purposes[k].

That the Convocation of the Clergy is a court of which "the jurisdiction is to deal with heresies and schisms, and other mere spiritual and ecclesiastical causes;" and "therein they did proceed *juxta legem divinam et canones sanctæ ecclesiæ.*"

That they did so before the Reformation, under the King's writ, often under his prohibition to meddle with civil matters; often, likewise, with his Commissioners present to take cognizance of all they might do; so that the statute 25 Hen. VIII., cap. 19, requiring the royal assent to canons, "is but declaratory of the old common law[l]."

That the purpose of the Reformation statutes, as understood and solemnly expressed by their framers, was to vindicate and restore to the Crown the ancient jurisdiction which it had enjoyed in previous times; and which ancient jurisdiction extended over all ecclesiastical and spiritual causes[m].

With these principles Blackstone is in accordance; and in regard to heresy in particular, while he states that the crime might be more strictly defined, that nothing should be prosecuted as heretical until it has been so declared by proper authority, he also avows that, "under these restrictions, it seems necessary for the support of the national religion that

[i] Quoted in the Institutes, vol. vi. part iv. ch. 74. [k] Ibid. [l] Ibid.

[m] These propositions are chiefly taken from the Institutes. Matter of the same nature will be found in the Report of Cawdrey's Case, particularly at pages xxvi., xxviii., xxxvi.–ix., xlvii., l., lv.–viii., lxii., lxxvi., lxxvii.

the officers of the Church should have power to censure heretics[n]."

The jurisdiction of Convocation as a court for the trial of heresy was asserted in 1711 by the twelve judges and the law-officers of the Crown; and all of these, except four judges, considered this to be a jurisdiction over the persons as well as over the tenets of the offenders[o].

If such be the view of the expositors of the law, let us turn now to the law itself.

The citations I shall make will be for the establishment mainly of these two positions:—

First, that all which the civil power claimed, and consequently is entitled to claim, under the Reformation statutes, was the restoration of the ancient rights of the Crown.

Secondly, that the administration of the ecclesiastical laws would, according to the terms, as well as the spirit, of those statutes, be placed in the hands of ecclesiastical judges.

I. It is well to commence with the Act of the 1st of Elizabeth, c. 1, because it is even to this day the charter of the Constitution in reference to the subject-matter.

Title.—"An Act to restore to the Crown the ancient jurisdiction over the Estate ecclesiastical and spiritual, and abolishing all foreign powers repugnant to the same."

Preamble.—"In time of the reign of your most dear father, of worthy memory, King Henry the Eighth, divers good laws and statutes were made and established, as well for the utter extinguishment and putting away of all usurped and foreign powers and authorities out of this your realm, and other your Highness's dominions and countries, as also for the restoring and uniting to the imperial Crown of this realm the ancient jurisdictions, authorities, superiorities, and pre-eminences to the same of right belonging or appertaining."

Sect. 2 repeals 1 & 2 Ph. and M. c. 8, "for the repressing of the said usurped foreign power, and the restoring of the

[n] Vol. iii. p. 49.

[o] Opinion of the Judges, reprinted from Whiston. Parker, 1850.

rights, jurisdictions, and pre-eminences appertaining to the imperial Crown of this your realm."

And sect. 17 provides that "such jurisdictions, privileges, superiorities, and pre-eminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state and persons, and for reformation, order, and correction of the same, and of all manner of errors, heresies, schisms, abuses, offences, contempts, and enormities, shall for ever, by authority of this present Parliament, be united and annexed to the imperial Crown of this realm."

The language of this Act was in entire conformity with that of the Acts of Henry VIII.:

With the preamble of the great statute for the restraint of appeals, which is set out lower down:

So far as it goes, with the 37 Hen. VIII., cap. 17, now repealed, which declares that "your most royal Majesty is and hath always justly been, by the word of God, supreme head in earth of the Church of England."

But the Act of Elizabeth stops short of the enactments of Henry VIII., and, as we know, advisedly.

Reference has already been made to the oath contained in the Act, and to the legislative construction which has been put upon it.

II. The preamble of the great Statute of 1532 is full and conclusive on both points which are under our consideration, and, long as it is, it deserves the most careful perusal and consideration. It is as follows:—

"Where by divers sundry old authorities, histories, and chronicles, it is manifestly declared and expressed that this realm of England is an empire, and so hath been accepted in the world, governed by one supreme head and king, having the dignity and royal estate of the imperial crown of the same:

"Unto whom a body politic, compact of all sorts and degrees of people, divided in terms and by names of spiritualty

and temporalty, been bounden and owen to bear, next to God, a natural and humble obedience:

"He being also institute aud furnished by the goodness and sufferanee of Almighty God with plenary, whole, and entire power, pre-eminenee, authority, prerogative, and jurisdietion, to render and yield justice and final determination to all manner of folk, resiants, or subjeets within this his realm, in all causes, matters, debates, and eontentions happening to oeeur, insurge, or begin within the limits thereof, without restraint or provoeation to any foreign princes or potentates of the world:

"The body spiritual whereof having power, when any cause of the law divine happened to come in question, or of spiritual learning, then it was declared, interpreted, and shewed, by that part of the said body politie called the spiritualty, now being usually ealled the English Church, which always hath beeu reputed, and also found of that sort, that both for knowledge, integrity, and sufficieney of number, it hath been always thought, and is also at this hour, sufficient and meet of itself, without the intermeddling of any exterior person or persons, to deelare and determine all sueh doubts, and to administer all such offices and duties, as to their rooms spiritual doth appertain:

"For the due administration whereof, and to keep them from eorruption and sinister affeetion, the kiug's most noble progenitors, and the antecessors of the nobles of this realm, have suffieiently endowed the said Chureh both with honour and possessions:

"And the law temporal, for trial of property of lands and goods, and for the eonservation of the people of this realm in unity and peace, without rapine or spoil, was and yet is administered, adjudged, and exeeuted, by sundry judges and ministers of the other part of the said body politie, ealled the temporalty:

"And both their authorities and jurisdietions do eonjoin together in the due administration of justiee, the one to help the other.'

The seeond seetion proeeeds to reeite that laws had been made at divers times to preserve the independence of the

Crown and its "jurisdiction spiritual and temporal," but that more were required.

In this most remarkable and perhaps unparalleled preamble we are to observe set forth in the most formal manner:—

1. The assertion of the ancient independence of the realm of England.
2. Of the division of the nation into clergy or the spiritualty, and laity or the temporalty.
3. Of the supremacy of the Crown, in all causes whatsoever, over both.
4. Of the authority, fitness, and usage of the spiritualty to administer the laws spiritual.
5. Of its endowment for that very end.
6. Of the parallel authority, fitness, and usage of the temporalty to administer the laws temporal, which are defined to be for temporal ends.
7. Of the alliance between these two jurisdictions.

But will it be said that, though the language of this important statute asserted the principle that Church laws should be administered by Church officers, yet subsequent laws completely altered the case; and while, according to the first, appeals terminated with the archbishop, according to the latter they went on to the king, and power was also given to the Crown, in the 1st of Elizabeth, to redress abuses by the instrumentality of any persons being natural born subjects?

The answer surely is that the construction of those enactments was fixed by known usage in a manner perfectly accordant to the preamble of the 24 Henry VIII., c. 12: that such usage was as imperatively required by the spirit of the constitution, as that the Crown should appoint for its judges in the temporal courts, men learned in the law; and that the ground of this usage is fully and constantly recognised by the principle of the lawyers that there must be Ecclesiastical

Courts to administer the laws of the Church, and by the practice which prevailed for many generations after the passing of these statutes.

I shall produce two more testimonies from the reign of Henry VIII.

The first is the title of an Act of Parliament since repealed, and therefore only of use to show the intention of the times. It is the 32 Henry VIII. c. 26, and runs thus:—

"All decrees and ordinances which, according to God's word and Christ's Gospel, by the King's advice [illegible]"

[illegible]

It recites that, though any canons forbidding such persons to exercise ecclesiastical jurisdiction had been abolished, yet the bishops and other spiritual persons acted at that date (1545) as if the disqualification had been still in force.

And it proceeds to enact—

"That all and singular persons, as well lay as those that be now married or hereafter shall be married, being doctors of the civil law . . . . which shall be made . . . . to be any chancellor, vicar-general, commissary, official, scribe, or register . . . . may lawfully execute and exercise all manner of jurisdiction commonly called ecclesiastical jurisdiction, and all censures and coercions appertaining or in anywise belonging unto the same, albeit such person or persons be lay, married or unmarried, so that they be doctors of the civil law, as is aforesaid."

Thus it appears (1), that up to the year 1545, all ecclesiastical jurisdiction—notwithstanding the appointment of Cromwell—was commonly exercised by the clergy alone: (2), that an Act was thought necessary to legalize the exercise of it in any form by laymen: (3), that those laymen were to be none other than doctors of civil law.

It appears indeed that the statute has been construed, notwithstanding the repeated words of limitation, as enabling all persons to hold the recited offices; and that such a construction is regarded with some wonder, as surely it well may be[7].

To shew the intention of the ruling powers during the subsequent reign, as to the final disposal of ecclesiastical causes—apparently of all causes so called, whether purely spiritual or not—we may well refer to the *Reformatio Legum*, which says, speaking of appealed causes brought into Chancery, "*Quo cum fuerit causa devoluta, eam vel concilio provinciali definiri volumus, si gravis sit causa, vel a tribus quibusve episcopis, a nobis ad id constituendis*[8]." Thus the very same document, which carries to the highest point the assertion of

[7] Stephens's Eccl. Stat., i. p. 289 n. [8] Ibid., i. 152 n.

the royal supremacy[1], distinctly assigns to the bishops the exercise, in the king's name, of the appellate jurisdiction.

These citations from the most conclusive sources, during the reigns of Henry VIII. and Edward VI., may probably suffice, because it will generally be admitted that what is true of those reigns in favour of the spiritualty, is true *à fortiori* respecting the times of the sovereigns who succeeded.

In the first high commission of Queen Elizabeth, of which the exact composition, I understand, is not on record, there must perforce have been a deviation from the principle, because, as Lord Coke observes, it was appointed for a special purpose, and by way of exception, namely, to rid the Church of those bishops who would not take the oath of supremacy in conformity with the proceedings founded on the Acts of Convocation under Henry VIII.; acts which had never been canonically reversed.

It would be easy, I apprehend, to shew that until about the accession of the House of Hanover, that is to say for nearly two centuries, these two great rules of the policy of the English Reformation were observed with substantial fidelity:—

1. That the Convocation should be the instrument of legislation for the doctrine of the Church.
2. That the ecclesiastical law should be administered by ecclesiastical judges.

In truth it is not enough to call these rules of policy; for as, to the State, they were constitutional principles, so to the Church they were solemn engagements. Both of them are covered by the preamble of the great Statute of Appeals, and the words of that preamble amount to a solemn engagement. Although in form there can be no contract between the legislative power and any person or body in the State, yet no words of promise could bind an individual more sacredly than

[1] See p. 11.

the words of that preamble, declaring the spiritualty to be the fit and established instrument for administering Church law, should have bound the State: and when the State makes laws deeply affecting any subject body, and sets forth as the conditions and grounds of them matter in which that subject body has an interest, such body has a moral claim to hold the State to its own spontaneous and, in this case, very formal and deliberate declaration.

That the concessions which have been described as made by the Church in the sixteenth century were large, is unquestionable. That they had their dangers is a proposition which only places them in the same category with all former and all subsequent adjustments of the same great and most difficult problem. That they were unwarrantable may be the case, but our history until now has not placed it beyond doubt. That they deserved the severe and unmeasured condemnation which some have pronounced upon them, is, in my view, very far indeed from being the case.

It is an utter mistake to suppose that the recognition of the royal supremacy in matters ecclesiastical, established in the Church a despotic power. The monarchy of England had been from early times a free monarchy. The idea of law was altogether paramount in this happy constitution to that of any personal will. Nothing could be more complete than the recognition of the Sovereign as the source both of legislative and of judicial authority for the exigencies of the passing day; but it was the felicity of this country that its people did not regard the labours of their forefathers as nought, and so realised the inheritance they had received from them, that at all times what was to be done was with them secondary, and what had been done primary; and the highest works of the actual legislator always aimed at the vindication and re-establishment of the labours and acquisitions of those who had preceded him. Here lay the grand cause of the success

of our English revolutions, that the people never rent the web of history, but repaired its rents; never interposed a chasm between, never separated, the national life of the present and that of the past, but even when they seemed most violently to alter the momentary, always aimed at recovering the general direction of their career. Thus everybody knew that there were laws superior to the Sovereign, and liberties which he could not infringe; that he was king in order to be the guardian of those laws and liberties, and to direct both the legislative and all other governing powers in the spirit which they breathed, and within the lines which they marked out for him.

A spirit of trust and confidence almost unbounded then was, and still is, the spirit of the British constitution. Even now, after three centuries of progress towards democratic sway, the Crown has prerogatives by acting upon which within their strict and unquestioned bounds it might at any time throw the country into confusion. And so has each House of Parliament. Why is this the case? Because it is impossible to tie down by literal enactments the sovereign power in a state, since by virtue of its sovereignty it can get rid of the limitations imposed upon it, however strict may be their letter. Yet if that sovereign power be well advised, if the different elements of the social body be duly represented and organised, there arises out of their wise adjustment a system of balance and limitation infinitely more effective than any mere statutory bonds. So it has been in the State of England; so, it might well be hoped, three hundred years ago, that it would be with the Church.

At the same time we must discriminate and set aside that which belongs to the political character and bent of the particular period of the Tudor sovereigns, and especially to that of Henry VIII. It is not to be denied that all liberty was in danger then; and Church liberty among the rest. If we

wonder at the clergy who promised to make no law but with the king's prior and posterior consent, what shall we say of the Parliament which gave by statute the force of the law to the king's proclamation? The excess in the exercise of royal power over the Church during the sixteenth century is probably due to the absolution of the period more than to its Erastian tendencies.

The trust reposed by the constitution in the king with respect to civil purposes was this; that he would commonly act in the spirit of the constitution, and would avail himself of the best assistance which the country might afford for ascertaining, fostering, and upholding that spirit, and for dealing according to its dictates with public exigencies as they should arise. And this trust was a trust not speculative only, but accompanied with practical safeguards; these in particular—that for making laws the sovereign must act with the advice and consent of the estates of the realm; that for administering them he would act by and through those who had made the laws the study and business of their life, and who would be best able to interpret them according to their own general spirit, and by the analogies which that spirit supplied, as well as the mere precedents which its history afforded. I speak of the constitutional system which was gradually elaborated and matured in England, the essential features of which had for many generations exercised a marked influence over the fortunes of the country, and which soon attained such a ripeness as to place both our legislative and judicial systems beyond the reach of the arbitrary will or the personal caprice of sovereigns.

Now, I say, that the intention of the Reformation, taken generally, was to place our religious liberties on a footing analogous to that on which our civil liberties had long stood. A supremacy of power in making and in administering Church law as well as State law was to vest in the Sovereign: but

in making Church law he was to ratify the acts of the Church herself, represented in Convocation, and if there were need of the highest civil sanctions, then to have the aid of Parliament also: and in administering Church law he was to discharge this function through the medium of bishops and divines, canonists and civilians, as her own most fully authorized, best-instructed sons, following in each case the analogy of his ordinary procedure as head of the State.

The Church had this great and special security on which to rely, that the sovereigns of the country were, for a century after the Reformation, among her best-instructed and even in some instances her most devoted children; that all who made up the governing body (with an insignificant exception) owned personal allegiance to her, and that she might well rest on that personal allegiance as warranting beforehand the expectation, which after experience made good, that the office of the State towards her would be discharged in a friendly and kindly spirit, and that the principles of constitutional law and civil order would not be strained against her, but fairly and fully applied in her behalf.

I do not mean that the Crown was legally compellable to convoke Parliaments or to appoint persons of legal proficiency to be judges; but without Parliaments it could not make law, and by fixed practice, as well as according to common reason, the laws were administered by those to whom they were a profession, and who were best versed in them. With the same theoretical laxity, and practical security, was provision made for the conduct of Church affairs. With regard to certain violent exertions of State power over the Church during the reigns of Henry VIII. and Edward VI., during the reign, it must be added, of Mary, and during that of Elizabeth, it is not reasonable to take them as the measure of the intention of the State in the legal provisions it had made for settling its relations with the Church, any more than Magna Charta

will bear to be construed by the administrations of the sovereigns who bore sway shortly after its enactment. For as defective social order permitted constant infringements of the last, so the extreme of political necessity compelled the State to go beyond the spirit of the first. When armed force was commonly employed to determine religious differences: when the ecclesiastical affairs of one country were liable to be taken in hand by the military power of another: when the Pope wielded the temporal as well as the spiritual sword, and claimed and exercised the anti-social, if not anti-christian, prerogative of deposing sovereigns for renouncing his obedience—then England was really in the condition of a beleaguered city, and the Crown was warranted and bound to settle many matters pertaining to the regimen of the Church by stretches of power that in regular times would have been intolerable, and that with regular times were disused. Yet after all, no one of them perhaps went so far as the *Interim* of Charles V.

However unconstitutional may have been the Court of High Commission, however inadequate to such questions as the trial of doctrine the Court of Delegates, that which we are now examining, namely, the essential freedom of the Church in her own most sacred functions, was on the one hand secured, while on the other hand harmony was maintained in her relations with the State. And the essence of the whole arrangement was this: that the power of the Church to make laws was retained, but subjected to the consent of the Crown; the administration of Church law was placed under the guardianship of the Crown, in a confidence, not disappointed through the succession of many generations, that her own bishops, divines, and canonists would be the persons appointed to discharge her judicial functions.

Although, upon comparing in the abstract the constitutions of the Parliament and the Convocation respectively to Holy

VIII., we may find reason to think that while both were great, the former were the larger of the two, yet, practically, there was this great difference the other way: the concessions of the Church had been retained, and after a time she found that she had neither strength to recover them nor to retain her hold of the compensating conditions under which they were made; whereas the Parliament, gaining energy from generation to generation, has not only taken back what it then unduly yielded, but has acquired exclusive possession of the supreme power in the State.

Looking back upon those times in the light of the experience which three hundred years of eventful history have supplied, we are led to palliate the subservieney of the Parliaments of Henry VIII., and to form an exaggerated idea of that of his clergy; measuring their acts by remote and then unimagined results.

But if we place ourselves in the position of the men of that day, we may arrive at a different view. For at that time there was no clear indication of the coming triumphs of popular freedom. Nor was it perhaps over sanguine, as matters then stood, to believe that the Ecclesiastical Estate, if it could keep united, would be strong enough to secure the permanence of its liberties. And it was united, we must remember, at the time when these things were done.

Obviously it is not by a mere comparison between Ecclesiastical and Parliamentary subserviency that the question of right and wrong can be determined; but it has become a fashion among us unhesitatingly to consign to infamy the Convocations of Henry VIII. without an examination of their case, and they are under sentence as it were of historical outlawry. It seems, therefore, well to throw those lights upon their conduct which a reference to particulars may supply: and there is no part of history of which it is more important to us that we should arrive at a just appreciation.

But it is also important to observe that, as to the point which seems to be most pressed in controversy against the Church of England as fatal to her liberties, namely, the surrender of her own discretion in the exercise of legislative and judicial power, we are ecclesiastically in strict analogy with our political condition. *Now*, indeed, we are secured by the modern principle of ministerial responsibility; but before the date of this principle our forefathers held by the same tenure their condition as citizens and as Churchmen respectively: and the same argument which would prove the slavery of the Church, would also prove that they had no political liberties; which is absurd.

I am led to feel the importance of these remarks partly by the astounding view of the British constitution, which I find in an article in the "Dublin Review," ascribed to the ablest polemical writer of the Roman Catholic communion of this country:—

"If the Queen is really the supreme head of the Church, or if she is a power in it with appellate jurisdiction, (and as she has spoken and pronounced sentence in the 'Gorham Case,' we do not see what right of interference there is in any one, in regard to the counsellors or judicial sifters of the cause whom she may select and appoint,) she, and she alone, is responsible for this.

"It may be objected that Her Majesty did not choose them, but that they were appointed by Act of Parliament. Be it so. But by whom is an Act of Parliament enacted but 'By the Queen's most excellent Majesty, by the advice and consent of the Lords Spiritual and Temporal, and Commons?' The constitution, therefore, of the council is the Queen's, or her predecessor's, for the sovereign has the means of resisting a violence to his conscience[u]."

When a writer is possessed with such wild ideas as to the function of Her Majesty in the British constitution as would make rather better sense if read backwards, we need neither

[u] Dublin Review, March, 1850, pp. 256, 257.

be astonished nor grieved on our own account at any conclusions at which he may arrive respecting the Church in its relations to that constitution.

Nothing is more clearly essential to any just estimate of the position of the Church under the royal supremacy than a proper view of the essential conditions that fix the general position and office of the Crown.

We must recollect that the theory of monarchy in the law of England had its historical basis of fact in the free Anglo-Saxon constitution, running back even to the usages of the German tribes, such as Tacitus has described them. Upon this there supervened, with the Conquest and its results, that idea of royal power which represented it as in itself absolute and perfect, yet did not repel the notion that it came originally from popular delegation, and even referred this perfection, not to an ideal source or standard, but to the fact that all the powers of the Roman commonwealth—of senate, consul, prætor, tribune, general—had been conveyed to and concentrated in the person of the Emperor. To these again was added the doctrine of the Church, which asserts the Divine origin and sanction of the power of governing. This doctrine, which found governing power *de facto* in the hands of kings, naturally grew into the notion of what is called Divine hereditary right, especially when the abolition of the Roman jurisdiction had removed the influence of a Power whose interest it was to appear as standing between Heaven and the king, and therefore to keep the question open as to the precise nature and limits of the sanction that regal authority derived from Divine ordinance.

From the joint result of these influences, ancient and recent, the idea of the king in the sixteenth and seventeenth centuries had mounted up, in the contemplation of law, even to ideal perfection. The very strongest proofs of it, not only that can be cited, but even, as it seems to me, that can be

conceived, are to be found in our having inherited from those times (not from the period when monarchs were formally coerced like John, or solemnly deposed like Edward II. and Richard II.,) the doctrine that the king can do no wrong; and in the fact that the Parliament of Charles I. found itself obliged by duty or by policy, or both, to make war against the king under the formal assumption of his own name and authority for its acts*.

But this ascription of an ideal perfection to the sovereign did not imply that in practice he was free, or in law either, to lay his hands on whom or on what he pleased. The ancient idea of compact had never been extinguished; and upon an adequate occasion, namely at the Revolution, it was re-animated, in terms indeed open to dispute, but in substance with a solemnity and weight of sanction which it has never lost.

But this great and fundamental idea of compact, if it applies to individual subjects, applies also yet more formally to the estates of the realm, and involves more than the mere personal conduct of the sovereign. If the tenure of the throne itself depends upon the observance of a compact, much more does every other relation that binds together the several component parts of the body politic, in its several orders and degrees of men, as spiritualty and temporalty.

The forefathers of Englishmen, however, had other and readier securities besides this great *arcanum imperii*, reserved then, and always to be reserved, for the very last resort. It is a well-established principle that the sovereign cannot administer justice in his own person, unless authorized to do so, as any officer of state might be, by statute. "Edward I. frequently sat in the Court of King's Bench; and in later times James I. is said to have sat there in person, but was in-

* See also Allen on the Prerogative, pp. 82, 83.

formed by his judges that he could not deliver an opinion[y]." And "it is now an undisputed principle that, though the king should be present in a court of justice, he is not empowered to determine any cause or motion but by the mouth of his judges, to whom he has committed his whole judicial authority[z]." The doctrine of this passage is, I believe, that of the great legal authorities. Thus while the immense latitude of nominal prerogative was overshadowed on the one side by the superiority of the combined legislature, it was on the other barred from arbitrary excess by the necessity of operating through responsible instruments. The ideal or legal monarch was invested with these high attributes, while the living one was on almost all sides limited by law, in order that the actual authority under which the work of government is carried on throughout the country in its details might be one and undivided, revered and resistless.

Those who compare the history of the English Church since the Reformation with the history of the Catholic or of the Western Church respectively, in and from the times of Constantine, Justinian, and Charlemagne, may treat with ridicule the hypothesis that the aim of the English Church under Henry VIII. was to reproduce essentially the same basis of the relations between Church and State as existed during the reigns of those emperors.

And yet, after due allowance is made for new disturbing forces, we may find reason to think that there was some essential resemblance between that which men of the sixteenth century imitated and that which they constructed and bequeathed. They lived in times, when corruption had eaten so deep into the framework of the Christian Church as almost to menace its existence; and when a movement in favour of Reform, so violent as to convulse society and to

[y] Blackstone, iii., p. 41 n. [z] Allen on the Prerogative, p. 93.

set in motion forces which have already disorganized large portions of the Church, and removed entire communities from the faith, was nevertheless in all probability the actual means, and perhaps the only possible means, of rousing and of saving Christendom.

There were also impending vital changes in the constitution and order of civil society. The downfall of despotism was in preparation: the seat of power was about to be shifted from the hands of a very few to those of large and numerous classes: what the Crown possessed was about to pass into the hands of Parliament. All these changes, beginning or about to begin, were to subject the ecclesiastical relations fixed in the sixteenth century to trials far more severe than the mere brute forces of disorder and imperfect civilization against which the laws of Justinian or of Charlemagne had had to contend.

The headstrong wilfulness of Henry VIII. and the minority of Edward VI. would have made those periods unsafe repositories of precedents, even had the course of our traditions from thence never been legally interrupted. But the reign of Mary swept away the laws of the two former princes: and our direct concern with them is of course limited to such as were re-enacted under Elizabeth. Now it may be asserted without fear of confutation, that from the accession of that princess, notwithstanding the arbitrary notions of three successive sovereigns, the government of the Church was practically in the hands of its spiritual rulers, and predominantly in the hands of those among them who were the most deeply imbued with the spirit of its laws. With due allowance in every sense for the times, that high office of footing which our sovereigns had assumed was not ill borne until the period of the Great Rebellion.

Although the personal characters of the sovereigns from the Restoration down to the accession of the House of Hanover

ver, with the exception of Queen Anne, were of a different stamp in regard to their affections towards the Church, yet throughout the whole of that period her essential liberties were respected, except when they were assailed in common, and were also in common vindicated, with those of the State. Her synod was summoned when it was requisite to treat of matters touching her doctrine and constitution; the ordinary administration of her laws was conducted in her courts by appropriate instruments.

And whatever may be said of the gross injustice of the sheer suppression of Convocation, that most eminent example of tyranny, or the law of the strongest, acting under constitutional forms—of its political convenience or necessity, or of the frightful moral evils and utter dissolution of ecclesiastical discipline to which it led the way—thus much at least appears, that if her legislative organ has remained in abeyance, the power it should have handled has been likewise dormant, and it has not been exercised for her, even to the present day, so far as doctrine is concerned, by the temporal authority. Her exterior discipline, indeed, with the decline of religion in the country, was crippled in very important points by the State, as of late, on the other hand, there have been some small efforts to improve it. As to judicial questions, which are now more immediately before us, so long as the Court of Delegates remained, it was a witness by its constitution to the ancient principle that the ecclesiastical laws were to be administered by ecclesiastical judges. Although it had been progressively altered in its composition, first by the admission of civilians, then by the dropping out of divines, and further by the introduction of common law judges, yet to the last it was composed in the main of ecclesiastical lawyers.

When, therefore, we review our Church history from the time of the rupture with Rome, let us endeavour to take a candid and dispassionate estimate of that to which the

almost immediate antecedent of separation. Matters are already at a formidable pass, when great constitutional and public organs come to remonstrate before the world with one another. When the Parliament remonstrated with Charles I., the hand that guided the pen was ready to brandish the sword. Nothing but extremities would justify such remonstrances as would alone have fully met the case; and to extremities themselves the question had not come. It was not destruction, but danger—danger smiling and decked with flowers, into which she was thus brought. Neither was it any one single act against which she was called to remonstrate; it is a long and intricate series of changes, most of them affecting directly not herself, but other great constitutional organs, whose action in turn tells upon her state, and the cumulative effect of which has been to bring her out of the sphere of orderly and regulated freedom, too near to the verge, in spiritual things, of unredeemed and abject servitude. Nor does the victim of oppression lose his title to remonstrate when the cup has at length overflowed, because it may be shewn that he was entitled to complain before the swelling mass had reached the brim.

Further, let it be owned that, in speaking thus of the Church, we speak of that sacred and unworldly spirit in her, which ever conforms to the Spirit of her Lord, which is grieved with all that grieves Him, and draws delight only from that wherewith He is pleased. The State has used the Church's heart and soul thus ill, stopping up the avenues of spiritual life, warmth, and motion; restricting, enfeebling, and corrupting it. But to the body of the Church, to the concrete mass of good and bad, to the multitude of carnal-minded rulers and teachers, whom it for a long period of time continued to thrust into her offices—to the Church, as an institution endowed with the goods and privileged by the laws of this world, the State has not been in its own sense

unkind. It has treated her in the way in which Wordsworth's noble ode represents the Earth as treating man, the spiritual denizen of her domain :—

> "With something of a mother's mind
> The homely nurse doth all she can
> To make her foster-child, her inmate man,
> Forget the glories he hath known,
> And that imperial palace whence he came."

Even so the State has guarded with no small rigour—at least, until a very recent period—not the property alone, but the honours, and not the real only, but the imagined privileges and securities of the Church. She has been plied with indulgences that have enervated her vigour; she has been carried in the arms of power, and has forgotten to tread with her own feet her own narrow upward way. She has seen men debarred of their civil rights and privileges, because any law conferring them would also confer upon them an influence over her fit only to be exercised by her members; and she learned with ease and long retained, and even yet has but half unlearned, the baleful lesson, that taught her to rely on these spurious aids; to accept these illusory, and even at length unjust, compensations for the silent decay and overthrow of her natural defences. Anticipating extremes which have not arrived, men already say the blandishments of Delilah have lulled her into soft repose; she awakes at the clank of her fetters, and she finds that the lock of her strength shorn.

Considering, however, what upon the whole England has been for the last three hundred years, and what share the Church has had in making England such; what place she holds in the mind of the country and in Christendom; what she has done for the religion, and what for the civilisation of mankind; how she has carried down her life, and the unimpaired deposit of the faith, through so many ages of subtle

and varied trial to the present day; what promise she now exhibits that she may yet, and soon, valiantly contend for the Gospel against its adversaries, on behalf of Christendom and the faith of Christendom at large, and not only for her own children in her own border—I for one cannot take part with those who say that the English Reformers betrayed their trust; I cannot think that after due allowance made for human infirmity, their work has been wholly condemned by its results; I cannot express a preference over the alternative they chose, for any among the alternatives they rejected; such as re-attaching the Church of England to the Roman obedience; reconstituting it after the Presbyterian platform; or parcelling it out by the scheme of Independency.

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Let us vindicate the Reformers by shewing that we believe their conduct to have been guided by rsasons which existed for them, though they no longer exist for us: and let us imitate them by labouring to fix the position of the Church for our own time according to the conditions and the prognostications which the time itself not offers only, but rather thrusts and forces on our view.

By some—as for example, by Roman Catholic writers—it may be said that the account here given is a plain admission that the Church of England under Henry VIII. deliberately consented to enter into a state of slavery. Now, whatever the state was, they are right as to the fact that there was a consent of the Church to certain most important terms; and it is necessary to put it prominently forward, because there is a notion at the present day, that to talk of the Church as consenting to be dealt with in this or that manner is like saying that gold-leaf had consented to be beaten, or wool to be carded: a notion, as unhistorical as unreasonable, that the Church never had any independent rights with which

to part, which it is necessary to shut out in express words, because its singular convenience in eking out defective arguments makes up for its injustice and its falsity. The Church did, as the Roman Catholics truly allege, consent to the state into which she entered at the Reformation, so far as that was fixed by statute. The fact is important; because if she once had these independent rights, her former possession of them at once suggests the further question, whether, and under what circumstances, she might be bound in duty to resume them; and the fact is even more clear than it is important. It was no tacit, no obscure, no hurried, no equivocal consent. It was a deliberate consent, after consideration upon the several heads which have already been recited; and with respect to all that part of the consent which touches legislative power, the 25th Henry VIII., cap. xix., having fully set out in the preamble the submission and petition of the clergy, commences the enacting part with the words, "Be it therefore now enacted, by authority of this present Parliament, *according to the said submission and petition of the said clergy;*" and it then proceeds to provide accordingly.

That reputed contract, therefore, between Church and State, which in general does no more than construe into words what has been theretofore expressed in acts alone, and which is, in fact, the philosophy of history in one particular department, in the present instance is a literal as well as a virtual truth, so far as relates to the terms of the consent, submission, and petition of the Convocation, to the acceptance of them by the king and Parliament, and to whatever was truly and constitutionally involved in that acceptance. The review of the laws ecclesiastical, indeed, has no longer any effect for us, as the scheme ultimately failed of effect, and has now no legal or practical being; and the particular title of Head of the Church has been wisely exchanged for the more modest and true appellation of Supreme Governor of

the Church of England[a]. But, subject to these two limitations, the above-named consent of the clergy has become the law of the land; and the responsibility of it, whether for good or for evil, or for both, has descended upon the English Church, and upon its clergy of the present day.

Doubtless the treaty (so to speak) between the civil and the ecclesiastical power, which was elaborated in words so remarkable by the men of that day, was a treaty of the kind which in the law of nations is called real, a treaty intended to bind the successors without limit of time.

But doubtless, also, it was a conditional treaty. Its conditions were partly expressed in the framework of the several statutes of the epoch, partly presupposed, and experimentally known, in the subsisting constitutional system.

Not that any slight changes in the law, or any changes, however great, which might consist with the spirit of union and harmony between Church and State, and with the due and free discharge by each of its essential functions, ought to disturb the foundations of that settlement. But changes which do not so consist, must evidently at a certain point of their progress bring the settlement itself into question.

It may be said that to speak of a treaty as subsisting between the State, which is sovereign, and the Church, which is subject, appears a licentious use of terms. For treaties must be between powers actually, as well as originally, independent.

Yet we speak of the treaty of union as a binding one between England and Scotland, although both are now, in their separate capacity, subjects, and the imperial legislature alone is sovereign; and circumstances are conceivable, though in the highest degree improbable, which might justify and even require the dissolution of that treaty, and the resumption by each nation of its original independence.

[a] 1 Eliz., c. 1, s. 19.

But if we waive this argument, and regard the Church as simply subject, the rights of subjects, whether as individuals or as bodies, to have the laws of a country adjusted from time to time, according to the dictates of reason and justice, are not the less certain and sacred because they are indeterminate or unwritten; on the contrary, they are both certain and sacred in the highest degree, of which any right growing out of human relations in society can admit.

Besides, it is impossible in any case to forget this,—that the independence of the Church, in regard to legislation, had never been definitely surrendered by her on any earlier occasion. She then agreed by compact to do what she had formerly done by discretion only. When she made that agreement, it was in her power not to have made it. By making it, she did not—nay, without forfeiture of her essence she could not—acquit herself of the obligation at all times to judge and to act, in relation to the State and in all other relations, as the fulfilment of her essential purposes might require; because that obligation was founded, not merely in her right to prolong her historical existence, but in the perpetual ordinance of God, imposing on her various members duties towards one another, which were of the primary law and conditions of her being. And as no assembly of parents, which might ever so formally bind itself to give over to the State the charge of their infant progeny, could be justified in adhering to so unnatural a compact, so no assembly of bishops and clergy, inheriting the injunction of Christ to feed His sheep and His lambs, could, by any agreement whatsoever, make over to any other body than the Church herself that feeding office, or in the smallest degree derogate from their own awful responsibility for its fulfilment. If they made such a compact as was originally to that effect, it was null and void *ab initio*. If they made, as they did make, a compact which originally was not to that effect, but which might

or may become so, then from the moment when it has so become, it is null and void in spirit, and its nullity and avoidance in spirit would entail upon them, as their first duty, likewise to put an end to it in form, at the earliest moment practicable after the facts should have been clearly established.

It has appeared, then, that the statutes of the Reformation disavowed any aim at establishing a system of principles novel in our law touching ecclesiastical jurisdiction; but sought to provide effectual safeguards on behalf of the State, for the principles on which British law had heretofore been founded, but which the exorbitant power of the clerical estate tempted it, notwithstanding repeated acknowledgments, from time to time to question.

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Let us, then, assume as our starting-point, that which the reason of the case and the law of the land appear to indicate as the just one—namely, the statute of Elizabeth. Of course, those particular enactments of former reigns which still subsist must be taken into view; but the general idea of the royal supremacy, for which the Reformation has to answer, ought in fairness to be taken from such laws and acts as remain, not from those which have passed away. This idea I take to be represented in the universal annexation of corrective jurisdiction to the Crown; in the establishment of the control of the Crown over ecclesiastical legislation; and, on the other hand, in the reference of those measures to the single principle that they were part of the ancient rights of the Crown of England, and in the formal assurance that no other than those ancient rights had been, or would be, claimed.

Since that time, three material changes have been made in favour of the Church—namely, the following:—

First. That all ecclesiastical jurisdiction, except that of

the last resort, should be exercised, not only by the instrumentality, but under the direct authority, of the Archbishops and Bishops.

Secondly. That the Court of High Commission has been abolished, and all such courts condemned in sweeping terms by the Bill of Rights. For although Lord Coke contended that the issuing of such a commission lay within the ancient prerogative of the Crown, Bishop Stillingfleet, observes Mr. Stephens[b], has shewn that the cases quoted by him do not come up to the point; and, at any rate, what is material to our present purpose is to remark, that by such courts the Crown proceeded *in primâ instantiâ* against persons by ecclesiastical censures, which it has been unable to do since their abolition.

Thirdly. That the work of visitation, involving so much of the ordinary government of the Church, soon ceased to be employed as at the immediate bidding of the Crown, and for the purposes of ordinary government in the Church; and its executive acts, in virtue of the supremacy, have been reduced by the course of practice w ith a very narrow compass, and now have relation to matters of necessary form, although even these are not wholly unattended with embarrassment.

But there have been other, and much more important, changes the other way.

The greatest of these has been the suspension of the sittings of Convocation.

The legislative power in any body or society, which is the highest, is the proper instrument for correcting the errors which may be committed by the inferior powers, whether executive or judicial.

So long as a legislative power is in a state of activity, it may securely entrust to the executive the ordinary control

[b] Stephens's Eccl. Statutes, vol. i. p. 357 n.

of the administration of justice; and if any serious errors are committed, there are early opportunities of correction.

But when the legislative organ has been permanently suspended, every other power in the body passes gradually into a false position. The eye of the supreme supervision is closed; a great void, in the first instance, is created. Of the power taken from its lawful owner, much remains waste; part passes to the civil legislature, part becomes licence in the hands of private persons, part falls to the executive governors, and lastly, part to judges, who, under such circumstances, tend more or less, and quite independently of faulty intention in themselves, to become makers rather than interpreters, and thus masters rather than servants, of the law.

This evil is especially serious, when the ultimate judicial authority is lodged in a quarter, where the welfare of the body affected by that authority must ordinarily be not the first, but a secondary consideration. We are thus brought to consider the second great change, adverse to the Church, which has so greatly changed to her disadvantage the position defined for her at the Reformation, namely, the change in the personal composition of the Nation and of the State. She then contracted with a State, of whose policy it was a capital part, that all its members should be her members too; and her members, moreover, not by a nominal profession only, but through a membership tested in the most searching manner by periodical participation, subject to public discipline, in her highest ordinance. And that this circumstance entered essentially into the considerations upon the strength of which she made her bargain, we may well judge, not only from the writings of her divines bearing upon the subject, but from the tenacity with which her governors resisted the toleration of Dissenters and their admission to political privilege. It is to be hoped and pre-

sumed that they did not do this from selfishness and pride; at any rate it is obvious that what they resisted was a claim not merely to civil privileges, but to the exercise of powers that included much control over her own destinies, and that, augmenting their pretensions by slow degrees, have now fastened upon her the degrading imputation, that she has given over the decision of the doctrine of Christ into the hand of the powers of this world, and has vilely sold to Cæsar the things that are of God's own image and possession.

While the pretensions of the State have been in constant growth, its composition has rendered it progressively less fit to exercise even the qualified functions it had before possessed. Divisions of opinion have multiplied; the nation is broken up into many sects and religions; all claim the equal exercise of political power, and nearly every claim has been admitted; so that with respect to those which remain unacknowledged, there are many who think that we offend seriously against the principles of social equality by withholding them; while on the other side no real principle is involved in a continuance of that refusal.

The third great change in the position of the Church is from this: that the personal will of the sovereign has lost its ancient place in the constitution of the country.

The Church had at the Reformation, and now has by law, the presumed security, that the sovereign shall be a member of her communion. When, therefore, the individual conscience and conviction of the sovereign was recognised as a powerful element in determining the course of policy and legislation, the Church might well look upon this relation to the Crown as a most important safeguard.

But the altered position of the Crown has gradually been reducing, and has now perhaps destroyed, the value of such a safeguard. The sovereign, whom the English Church at

the Reformation acknowledged for her head, was one enabled by his position, and in fact accustomed, to rule with a strong hand the temporal no less than the spiritual estates; and if there then was danger of her enslavement, it was from him and not from them. That danger she was content to meet in the strength which her relation to his private conscience gave her.

But from the time when Parliament began to coeree the sovereign, to the time when, perhaps we may say in the year 1829, there was no more struggle because the sovereign had ceased to resist, the Church was drifting from her position; instead of one master she was coming to have many; it is now the majority of the Commons' House of Parliament to which she must look as being in effect the Crown's capital adviser with respect to the exercise of its ecclesiastical supremacy.

The fourth great change in the position of the Church is to be found in the progressive alterations of the composition of the courts by which ecclesiastical eauses were to be tried. We have seen that it was a fundamental idea of the Reformation that the spiritualty was the proper instrument, according to the Constitution, for the administration of Church affairs.

The highest legal authority, that of Lord Coke, assures us that upon this prineiple the judicial system of his time was framed. He says it was most necessary that for deeiding finally questions of heresy, clergy, discipline, immorality, and a multitude of others which did not belong to the common law, ecclesiastical tribunals should be established.

Aceordingly, we find that it was the praetice of the Crown, for a long series of years from the Reformation, to act upon the principle *cuique in arte suâ credendum* as regarded spiritual, not less than temporal matters. And so it is understood that the Court of Queen's Bench would still act, if the

presentee to a living, applying for a *quare impedit*, were impugned by the Bishop on the ground of heresy.

The most important functions of the ecclesiastical judicature, connected with the State, were discharged from the Reformation till the Great Rebellion by the Court of High Commission. We are told that, during the Tudor period, these Commissions were not enrolled in Chancery, "lest their lawfulness should be impugned upon such a publication [c]." It may therefore be difficult to ascertain exactly what the composition of this Court may have been on each occasion of its appointment. But the detail is hardly necessary, inasmuch as we know that it was always regarded as the great engine of episcopal oppression by the opposite party, which clearly shews what influence predominated in it. Neal mentions its even meeting at Lambeth. Strype names twenty-eight of the persons in the Commission of 1576. Of these, ten appear to be bishops, six other clergy, eight civilians, four judges and officers of State. But the enumeration is incomplete [d].

With the Court of High Commission in 1640 [e] fell the original jurisdiction of the Crown in matters ecclesiastical. It had originally been exceptional according to Lord Coke, and the power given to appoint it had reference to the peculiar crisis in the Church at the commencement of the reign of Elizabeth; and the words of the Bill of Rights seem to imply that even when legal it was unconstitutional.

The appellate jurisdiction was exercised through the medium of the Court of Delegates. There is no example, we are told by Bishop Gibson, of any peer or common law judge appointed to any commission before the seventeenth century, and not more than one in forty commissions down to

[c] Brodie's British Empire, i. 155; 4 Inst. 326, [illegible]

[d] Strype's Grindal, p. 309.

[e] 16 C[illegible]

the Great Rebellion. The records of the Court now available commence in 1609; and during the whole period of two centuries and a quarter, down to 1832, there appears to have been before it only three cases of heresy[f]. The Commission of 1712, in Whiston's case, comprised five bishops, five civilians, and three common law judges. It thus appears that there had been a considerable change within a hundred years, but still the two main elements of the Court were bishops and ecclesiastical lawyers.

Although the cases of heresy tried, between 1609, when the records of the Court commence, and 1832, were only three, and all these without any issue: although there never was a question tried before that Court approaching that of Gorham *v.* the Bishop of Exeter in dignity or importance, yet to the very last that Court retained this not unimportant token, at least, of the character of a Court spiritual—that its judges, for whatever causes, were mainly civilians.

In the time of Blackstone, as he himself has told us, the case stood thus: "This Commission is frequently filled with lords spiritual and temporal, and always with judges of the Courts at Westminster, and doctors of the civil law[g]." And from Haggard's Reports, I find that in 1781, even upon a question whether a marriage might not be declared void on the ground of force and custody, the Commission of Delegates contained three lords spiritual along with three lords temporal, three common law judges, and three civilians[h].

Enough has now been stated to shew that, for a long time, the pledges of the Reformation epoch were not forfeited, and the theory of our great lawyers kept in vigour by practice, in regard to the vital principle, that the laws ecclesiastical should be administered by ecclesiastical judges. It may however be said, certainly the Courts spiritual of a certain

[f] Parl. Paper, No. 322, Sess. 1850. [g] Blackstone, vol. iii. p. 66.
[h] Haggard's Reports, vol. ii. p. 436.

era were ecclesiastically composed; but the Crown *might* have composed them otherwise. I answer, the Crown was free to compose them otherwise, but only as it was free to do anything else that is wrong, and that is contrary to the spirit of its trust. The Crown could not have composed them otherwise without acting in violation of the spirit of the Act of the 1st of Elizabeth, and of the letter, not indeed of the enacting part, but of the more solemn preamble, of the Act of the 24th of Henry VIII.

If it be asked, why then did later times infuse more and more of the secular element into the Court of Delegates? and why did a commission of bishops and judges recommend that causes in appeal should come to the king in council?—I answer to the first question, that there is scarcely a single precedent of any kind set in the Church for a century after the accession of the House of Hanover, which is good for any purpose but that of a warning: that (for religion) disastrous century, in whose ecclesiastical archives, not yet nearly unrolled, every loathsome abuse

"Hides its dead eye from the detested day."

To the second I reply by adopting the sentiment which the Bishop of Bangor has recently expressed in a letter to his clergy. The period of a century and a half or more had produced but three causes[1] for heresy in the Court of Delegates, and none of those causes came to any issue. The first cause, that of Salter against Davis in 1690, was disposed of in another form, by the Court of Queen's Bench. The second, that of Whiston, went to Convocation. In the third, that of Havard against Evanson, in 1775, the appellant desisted. Under these circumstances it might readily be assumed that that branch of the appellate jurisdiction was virtually extinct, and the recollection of it might easily be lost among

[1] Parl. Paper, No. 322, Sess. 1850.

the multitude of mixed questions, and questions only in name ecclesiastical, for which an improved provision had to be made; and also amid the still greater mass of questions purely civil, that come before the Privy Council in appeal. The trial of doctrine by this Court had become a thing unheard of in the Church of England; and what has just now started forth in giant form, was, when the latest statute was framed, probably overlooked, and (according to the saying) given into the bargain.

It is not too much to say, the appellate jurisdiction in cases of heresy, legally enacted at the Reformation, has never actually lived. Thrice only has it moved; and thrice without effect.

> "Ter conatus erat circum dare brachia collo:
> Ter frustra comprensa manus effugit imago
> Par levibus ventis, volucrique simillima somno."

Since I wrote thus far, Lord Brougham has declared from his own recollection that the conjecture already made was correct; and that cases of heresy were not taken into view at all on the passing of the Act of 1833.

In the year 1832 an Act[k] was passed which transferred the powers of His Majesty in Chancery over ecclesiastical causes to His Majesty in the Privy Council. This change had been recommended by the Commission which sat in 1828 to inquire into the state of the ecclesiastical law.

It does not appear what was the precise view of that Commission as to the mode in which these causes were to be tried, as there was at that period no fixed or statutory Court of the Privy Council. But the presumption is, that they contemplated the reference of all such matters to the two Metropolitans and the Bishop of London, together with the Dean of Arches and Judge of the Admiralty, both of whom

[k] 2 & 3 Gul. IV., c. 92.

must necessarily have been bred in Doctors' Commons, and the latter of whom has frequently been also Judge of the Consistory Court of London; possibly also with the addition of the Lord Chancellor, or one of the common law judges.

Whether a good Court or not, this would still without impropriety have been called an Ecclesiastical Court; and its institution would not have destroyed, though it would certainly have obscured and impaired, the principle established in law and history by the Reformation. We cannot, however, do justice to the Commission without bearing in mind, that they did not intend this Court to be a tribunal for the trial of heresy.

But in the year 1833[1] it was enacted that all causes coming to the King in Council should be tried by a Committee, to be composed of at least four out of a number of persons, of whom all must be laymen: a very small proportion only could be civilians; none of the rest, except the Lord Chancellor, need be members of the Church of England. Nay, the Court might actually be composed in any given case of persons holding their offices only during the pleasure of the Crown, that is to say, of the Minister of the day.

This court then was a court essentially civil, not only in the sense in which, as Lord Coke observes, the bishops' courts, the courts of the lords of manors, and others, are all nevertheless king's courts, but also because its personal composition was in substance temporal: the lay ecclesiastical lawyers, who should have but a secondary place by the side of bishops or divines in a court for the trial of doctrine, were here the only element at all related to the subject-matter; it could be but an insignificant one, and not even a single civilian need by the constitution of the court have sat upon the Gorham case. It is vain to lay stress upon the unmeaning arrangement for the presence of bishops at the hearing

[1] 3 & 4 Gul. IV., c. 41.

—while there was a Gallican Church—and founded in the first necessities of the social order.

The High Commission Court, not the Court of Appeal, was the genuine offspring of the statutory provisions concerning the supremacy, and it exercised an original as well as a final jurisdiction. It first appeared in the first year of Elizabeth.

The course of appeal was determined by statutes of 1532 and 1533, while the statute declaring the king's headship was not passed till 1534: it was by that statute, and not before it, that all lawful corrective ecclesiastical jurisdiction was annexed or attached to the Crown.

The statute of 1532, 24 Hen. VIII., c. 12, provided[n] that certain appeals should not go to Rome, but should be from the archdeacon to the bishop, and from the bishop to the archbishop, in his court to be "definitely and finally ordered[o]."

The act of 1533, 25 Hen. VIII., c. 19, extends these provisions to all ecclesiastical causes[p], and then gives an appeal to the king in Chancery, with the remarkable expression that it is to be "for lack of justice" in the archbishop's court[q].

Now this appeal for lack of justice is very nearly a translation of the French *appel comme d'abus.* The expression is not employed by the statutes in giving the appeal to the bishop or archbishop, and can hardly have been introduced without a special meaning[r].

I am far from presuming to assert that this appeal was identical with the *appel comme d'abus.* But it seems clear; on the other hand—1. That it was appointed in a sense distinct from that of the common and purely ecclesiastical ap-

[n] Sect. 4. [o] Sect. 5, 6. [p] Sect. 3. [q] Sect. 4.

[r] There is a marked analogy to the language of the Constitutions of Clarendon:—"Ab archidiacono debebit procedi ad episcopum, ab episcopo ad archiepiscopum, et, *si archiepiscopus defuerit in justitiâ exhibendâ,* ad dominum regem perveniendum est postremò," &c. (Art. VIII.)

CHAPTER OF AUTOBIOGRAPHY.

BY

THE RIGHT HON. W. E. GLADSTONE, M.P.

"Blame not, before thou hast examined the truth: understand first, and then rebuke."—ECCLESIASTICUS, ch. ii.

TENTH THOUSAND.

LONDON:
JOHN MURRAY, ALBEMARLE STREET.
1868.

Price Ninepence.

INTRODUCTION.

At a time when the Established Church of Ireland is on her trial, it is not unfair that her assailants should be placed upon their trial too: most of all, if they have at one time been her sanguine defenders.

But if not the matter of the indictment against them, at any rate that of their defence, should be kept apart, as far as they are concerned, from the public controversy, that it may not darken or perplex the greater issue.

It is in the character of the author of a book called 'The State in its Relations with the Church,' that I offer these pages to those who may feel a disposition to examine them. They were written at the date attached to them; but their publication has been delayed until after the stress of the General Election.

A

CHAPTER OF AUTOBIOGRAPHY.

AUTOBIOGRAPHY is commonly interesting; but there can, I suppose, be little doubt that, as a general rule, it should be posthumous. The close of an active career supplies an obvious exception: for this resembles the gentle death which, according to ancient fable, was rather imparted than inflicted by the tender arrows of Apollo and of Artemis. I have asked myself many times, during the present year, whether peculiar combinations of circumstance might not also afford a warrant at times for departure from the general rule, so far as some special passage of life is concerned; and whether I was not myself now placed in one of those special combinations.

The motives, which incline me to answer these questions in the affirmative, are mainly two. First, that the great and glaring change in my course of action with respect to the Established Church of Ireland is not the mere eccentricity, or even perversion, of an individual mind, but connects itself with silent changes, which are advancing in the very bed and basis of modern society. Secondly, that the progress of a great cause, signal as it has been and is, appears liable nevertheless to suffer in point of credit, if not of energy and rapidity, from the real or supposed delinquencies of a person, with whose name for the moment it happens to be specially associated.

One thing is clear: that if I am warranted in treating my own case as an excepted case, I am bound so to treat it. It is only with a view to the promotion of some general interest, that the public can becomingly be invited to hear more, especially in personal history, about an individual of whom they already hear too much. But if it be for the general interest to relieve 'an enterprise of pith and moment' from the odium of baseness, and from the lighter reproach of precipitancy, I must make the attempt; though the obtrusion of the first person, and of all that it carries in its train, must be irksome alike to the reader and the writer.

So far, indeed, as my observation has gone, the Liberal party of this country have stood fire unflinchingly under the heavy volleys which have been fired into its camp with ammunition that had been drawn from depositories full only with matter personal to myself. And, with the confidence they entertain in the justice and wisdom of the policy they recommend, it would have been weak and childish to act otherwise. Still, I should be glad to give them the means of knowing that the case may not after all be so scandalous as they are told. In the year 1827, if I remember right, when Mr. Canning had just become Prime Minister, an effort was made to support him in the town of Liverpool, where the light and music of his eloquence

had not yet died away, by an Address to the Crown. The proposal was supported by an able and cultivated Unitarian Minister, Mr. Shepherd, who had been one of Mr. Canning's opponents at former periods in the Liverpool elections. Vindicating the consistency of his course, he said he was ready to support the devil himself, if it had been necessary, in doing good. This was a succinct and rough manner of disposing of the question in the last resort. I hope, however, that those who sustain the Liberal policy respecting the Established Church of Ireland will not be driven to so dire an extremity. It can hardly be deemed on my part an unnatural desire, that political friends, and candid observers, should on grounds of reason and knowledge, and not merely from friendly prepossession, feel themselves warranted not to believe in the justice of language such as by way of example I subjoin. I must, however, suppose that the author of it is persuaded of its fairness and justice, since he bears Her Majesty's Commission; and his statement is adopted and published by a brother-officer, who is himself a candidate for Berwick in the ministerial interest, and therefore (I presume) not particularly squeamish on the subject of political consistency, although I entertain no doubt that both are gallant, upright and estimable gentlemen.

"There is obviously no need, on the present occasion at least, to extend this catalogue of the political delinquencies of this would-be demagogue, whom we may accordingly leave gibbeted and swinging in the winds of the fools' paradise! an object of derision and contempt to those at least who maintain that integrity of purpose and consistency ought not altogether to be discarded from public life."*

It freezes the blood, in moments of retirement and reflexion, for a man to think that he can have presented a picture so hideous to the view of a fellow-creature!

One thing I have not done, and shall not do. I shall not attempt to laugh off the question, or to attenuate its importance. In theory at least, and for others, I am myself a purist with respect to what touches the consistency of statesmen. Change of opinion, in those to whose judgment the public looks more or less to assist its own, is an evil to the country, although a much smaller evil than their persistence in a course which they know to be wrong. It is not always to be blamed. But it is always to be watched with vigilance; always to be challenged, and put upon its trial. The question is one of so much interest, that it may justify a few remarks.

It can hardly escape even cursory observation, that the present century has seen a great increase in the instances of what is called political inconsistency. It is needless, and it would be invidious, to refer to names. Among the living, however, who have occupied leading positions, and among the dead of the last twenty years, numerous instances will at once occur to the mind, of men who have been constrained to abandon in middle and mature, or even in advanced life, convictions which they had cherished through long years of conflict and vicissitude: and of men, too, who have not been so fortunate as to close or continue their career in the same

* From a placard just published at Berwick.

the very policy, which after a while it will gravely consider, and after another while enthusiastically embrace.

Yet, as it still remains true that the actual opinions and professions of men in office, and men in authority without office, are among the main landmarks on which the public has to rely, it may seem that, in vindicating an apparent liberty of change, we destroy the principal guarantees of integrity which are available for the nation at large, and with these all its confidence in the persons who are to manage its affairs. This would be a consequence so fatal, that it might even drive us back upon the hopeless attempt to stereotype the minds of men, and fasten on their manhood the swaddling clothes of their infancy. But such is not the alternative. We may regulate the changes which we cannot forbid, by subjecting them to the test of public scrutiny, and by directing that scrutiny to the enforcement of the laws of moral obligation. There are abundant signs, by which to distinguish between those changes, which prove nothing worse than the fallibility of the individual mind, and manœuvres which destroy confidence, and entail merited dishonour. Changes which are sudden and precipitate—changes accompanied with a light and contemptuous repudiation of the former self—changes which are systematically timed and tuned to the interest of personal advancement—changes which are hooded, slurred over, or denied—for these changes, and such as these, I have not one word to say; and if they can be justly charged upon me, I can no longer desire that any portion, however small, of the concerns or interests of my countrymen should be lodged in my hands.

Let me now endeavour to state the offence of which I am held guilty. *Ille ego qui quondam:* I, the person who have now accepted a foremost share of the responsibility of endeavouring to put an end to the existence of the Irish Church as an Establishment, am also the person who, of all men in official, perhaps in public life, did, until the year 1841, recommend, upon the highest and most imperious grounds, its resolute maintenance.

The book entitled 'The State in its Relations with the Church' was printed during the autumn of 1838, while I was making a tour in the South of Europe, which the state of my eyesight had rendered it prudent to undertake. Three editions of it were published without textual change; and in the year 1841 a fourth, greatly enlarged, though in other respects little altered, issued from the press. All interest in it had, however, even at that time, long gone by, and it lived for nearly thirty years only in the vigorous and brilliant, though not (in my opinion) entirely faithful picture, drawn by the accomplished hand of Lord Macaulay. During the present year, as I understand from good authority, it has again been in demand, and in my hearing it has received the emphatic suffrages of many, of whose approval I was never made aware during the earlier and less noisy stages of its existence.

The distinctive principle of the book was supposed to be, that the State had a conscience. But the controversy really lies not in the existence of a conscience in the State, so much as in the extent of its range. Few would deny the obligation of a State to follow the moral law. Every Treaty, for example, proceeds upon it. The true

all differences of religious opinion in the Church are a deviation from its pure idea, while I not only allow that they are permitted, but believe that (within limits) they were intended to be permitted. There are some of these deflections from abstract theory which appear to me allowable; and that of the admission of persons not holding the national creed into civil office is one which, in my view, must be determined by times and circumstances. At the same time I do not recede from any protest which I have made against the principle, that religious differences are irrelevant to the question of competency for civil office: but I would take my stand between the opposite extremes, the one that no such differences are to be taken into view, the other that all such differences are to constitute disqualifications.

I need hardly say the question I raise is not whether you have misrepresented me, for, were I disposed to anything so weak, the whole internal evidence and clear intention of your article would confute me: indeed I feel I ought to apologize for even supposing that you may have been mistaken in the apprehension of my meaning, and I freely admit on the other hand the possibility that, totally without my own knowledge, my language may have led to such an interpretation.

In these lacerating times one clings to everything of personal kindness in the past, to husband it for the future, and if you will allow me I shall earnestly desire to carry with me such a recollection of your mode of dealing with the subject; upon which, the attainment of truth, we shall agree, so materially depends upon the temper in which the search for it is instituted and conducted.

I did not mean to have troubled you at so much length, and I have only to add that I am, with much respect,

Dear Sir, very truly yours,

T. B. MACAULAY, ESQ. W. E. GLADSTONE.

3, Clarges Street, April 11th, 1839.

MY DEAR SIR,—I have very seldom been more gratified than by the very kind note which I have just received from you. Your book itself, and everything that I heard about you, though almost all my information came—to the honour, I must say, of our troubled times—from people very strongly opposed to you in politics, led me to regard you with respect and good will, and I am truly glad that I have succeeded in marking those feelings. I was half afraid when I read myself over again in print, that the button, as is too common in controversial fencing even between friends, had once or twice come off the foil.

I am very glad to find that we do not differ so widely as I had apprehended about the Test Act. I can easily explain the way in which I was misled. Your general principle is that religious non-conformity ought to be a disqualification for civil office. In page 238 you say that the true and authentic mode of ascertaining conformity is the Act of Communion. I thought, therefore, that your theory pointed directly to a renewal of the Test Act. And I do not recollect that you have ever used any expression importing that your theory ought in practice to be modified by any considerations of civil prudence. All the exceptions that you mention are, as far as I remember, founded on positive contract—not one on expediency, even in cases where the expediency is so strong and so obvious that most statesmen would call it necessity. If I had understood that you meant your rules to be followed out in practice only so far as might be consistent with the peace and good government of society, I should certainly have expressed myself very differently in several parts of my article.

Accept my warm thanks for your kindness, and believe me, with every good wish,

My dear Sir, very truly yours,

W. E. GLADSTONE, ESQ., M.P. T. B. MACAULAY.

Faithful to logic, and to its theory, my work did not shrink from applying them to the crucial case of the Irish Church. It did not disguise the difficulties of the case, for I was alive to the paradox it involved. But the one master idea of the system, that the State as it then stood was capable in this age, as it had been in ages long gone by, of assuming beneficially a responsibility for the inculcation of a particular religion, carried me through all. My doctrine was, that the Church, as established by law, was to be maintained for its truth; that this was the only principle on which it could be properly and permanently upheld; that this principle, if good in England, was good also for Ireland; that truth is of all possessions the most precious to the soul of man; and that to remove, as I then erroneously thought we should remove, this priceless treasure from the view and the reach of the Irish people, would be meanly to purchase their momentary favour at the expense of their permanent interests, and would be a high offence against our own sacred obligations.

These, I think, were the leading propositions of the work. In one important point, however, it was inconsistent with itself; it contained a full admission that a State might, by its nature and circumstances, be incapacitated from upholding and propagating a definite form of religion.*

"There may be a state of things in the United States of America, perhaps in some British colonies, there does actually exist a state of things, in which religious communions are so equally divided, or so variously subdivided, that the Government is itself similarly chequered in its religious complexion, and thus internally incapacitated by disunion from acting in matters of religion; or, again, there may be a State in which the members of Government may be of one faith or persuasion, the mass of the subjects of another, and hence there may be an external incapacity to act in matters of religion."

The book goes on to describe that incapacity, however produced, as a social defect and calamity. But the latter part of the work, instead of acknowledging such incapacity as a sufficient and indeed commanding plea for abstention, went beyond the bounds of moderation, and treated it as if it must in all cases be a sin; as though any association of men, in civil government or otherwise, could be responsible for acting beyond the line of the capabilities determined for it by its constitution and composition. My meaning I believe was, to describe only cases in which there might be a deliberate renunciation of such duties as there was the power to fulfil. But the line is left too obscurely drawn between this wilful and wanton rejection of opportunities for good, and the cases in which the state of religious convictions, together with the recognised principles of government, disable the civil power from including within its work the business of either directly or indirectly inculcating religion, and mark out for it a different line of action.

I believe that the foregoing passages describe fairly, if succinctly, the main propositions of 'The State in its Relations with the Church;' so far as the book bears upon the present controversy. They bound me hand and foot: they hemmed me in on every side. Further on I shall endeavour to indicate more clearly in what I

* 'The State in its Relations with the Church,' ch. ii., sect. 71, p. 73. Editions 1-3.

think the book was right, and in what it was wrong. What I have now to show is the manner in which I retreated from an untenable position. To this retreat, and the time and mode of it, I now draw attention, and I will endeavour to apply to them the tests I have already laid down:—Was it sudden? Was it performed with an indecent levity? Was it made to minister to the interests of political ambition? Was the gravity of the case denied or understated? Was it daringly pretended that there had been no real change of front; and that, if the world had understood me otherwise, it had misunderstood me? My opinion of the Established Church of Ireland now is the direct opposite of what it was then. I then thought it reconcilable with civil and national justice; I now think the maintenance of it grossly unjust. I then thought its action was favourable to the interests of the religion which it teaches; I now believe it to be opposed to them.

But I must venture to point out that, whatever be the sharpness of this contradiction, it is one from which I could not possibly escape by endeavouring to maintain the Established Church of Ireland on the principles on which it is now maintained. I challenge all my censors to impugn me when I affirm that, if the propositions of my work are in conflict (as they are) with an assault upon the existence of the Irish Establishment, they are at least as much, or even more, hostile to the grounds on which it is now attempted to maintain it. At no time of my life did I propound the maxim *simpliciter* that we were to maintain the Establishment. I appeal to the few who may have examined my work otherwise than for the purpose of culling from it passages which would tell in a quotation. I appeal to the famous article of Lord Macaulay,* who says with truth:—

"Mr. Gladstone's whole theory rests on this great fundamental proposition, that the propagation of religious truth is one of the principal ends of government, as government. If Mr. Gladstone has not proved this proposition, *his system vanishes at once.*"

This was entirely just. In the protest I addressed to the distinguished Reviewer on a particular point, I took no exception to it whatever. My work had used (as far as I believe and remember) none of the stock arguments for maintaining the Church of Ireland. I did not say "maintain it, lest you should disturb the settlement of property." I did not say "maintain it, lest you should be driven to repeal the Union." I did not say "maintain it, lest you should offend and exasperate the Protestants." I did not say "maintain it, because the body known as the Irish Church has an indefeasible title to its property." I did not say "maintain it for the spiritual benefit of a small minority." Least of all did I say "maintain it, but establish religious equality, setting up at the public charge other establishments along with it, or by distributing a sop here and a sop there, to coax Roman Catholics and Presbyterians into a sort of acquiescence in its being maintained." These topics I never had made my own. Scarcely ever, in the first efforts of debate, had I referred to one of them. My trumpet, however shrill and feeble,

* 'Edinburgh Review,' April, 1839, p. 235.

had at least rung out its note clearly. And my ground, right or wrong it matters not for the present purpose, was this: the Church of Ireland must be maintained for the benefit of the whole people of Ireland, and must be maintained as the truth, or it cannot be maintained at all.

Accordingly my book contended that the principle of the Grant to Maynooth, unless as a simply covenanted obligation,* and that of the Established Church of Ireland, could not stand together. In the House of Commons, on the question relating to the Grant, I am reported as having said in the year 1838,† that I objected to the Grant because it was fatal to the main principle on which the Established Church was founded.

And further. The Liberal Government and party of that day proposed, in 1835 and the following years, the famous "Appropriation Clause." The principle of their measure was, that the surplus funds only of the Irish Church were to be applied to popular education, after adequate provision had been made for the spiritual wants of the Protestants. This principle, that adequate provision is to be made for the spiritual wants of the Protestants, before any other claim on the property of the Irish Church can be admitted, was the basis of the Appropriation Clause; and is, as I understand the matter, the very principle which is now maintained against the Liberal party of 1868, by the (so-called) defenders of the Irish Established Church. But this principle I denounced in 1836 as strongly as I could now do. I extract the following passage from a report in 'Hansard,' which, as I remember, I had myself corrected, of a speech on the Irish Tithe Bill with the Appropriation Clause ‡:—

"A Church Establishment is maintained either for the sake of its members or its doctrines; for those whom it teaches, or for that which it teaches. On the former ground it is not in equity tenable for a moment.

"Why should any preference be given to me over another fellow-subject, or what claim have I personally to have my religion supported, whilst another is disavowed by the State? No claim whatever in respect to myself. I concur entirely with gentlemen opposite, hostile to an Establishment, that no personal privilege ought in such a matter to be allowed.

"But if, on the contrary, I believe, as the great bulk of the British Legislature does believe, that the doctrine and system of the Establishment contain and exhibit truth in its purest and most effective form, and if we also believe truth to be good for the people universally, then we have a distinct and immovable ground for the maintenance of an Establishment; but it follows as a matter of course from the principle, that it must be maintained, not on a scale exactly and strictly adjusted to the present number of its own members, but on such a scale that it may also have the means of offering to others the benefits which it habitually administers to them.

"Therefore we wish to see the Establishment in Ireland upheld; not for the sake of the Protestants, but of the people at large, that the ministers may be enabled to use the influences of their station, of kindly offices and neighbourhood,

* p. 252. † 'Mirror of Parliament,' Monday, July 30, 1838. The passage, which is full and clear, is more briefly given, but to the same effect, in 'Hansard,' vol. xliv. p. 817. ‡ June 1, 1836. 'Hansard,' vol. xxxiii. p. 1317.

of the various occasions which the daily intercourse and habits of social life present; ay, and I do not hesitate to add of persuasion itself, applied with a zeal tempered by knowledge and discretion, in the propagation of that which is true, and which, being true, is good as well for those who as yet have it not, as well for those who have it. It is the proposition of the noble Lord which is really open to the charge of bigotry, intolerance, and arbitrary selection; because, disavowing the maintenance and extension of truth, he continues by way of personal privilege to the Protestants the legal recognition of their Church, which he refuses to the Church of the Roman Catholic."

The negative part of this passage I adopt, except the censure it implies upon Earl Russell and his friends; who, whether their actual propositions were defensible or not, had the "root of the matter" in their hearts, and were far ahead of me in their political forethought, and in their desire to hold up at least the banner of a generous and a hopeful policy towards Ireland.

In this manner I prove that, while I was bound by the propositions of my work, I was not singly but doubly bound. I was bound to defend the Irish Church, as long as it could be defended on the ground of its truth. But when the day arrived on which that ground was definitively abandoned, on which a policy was to be adopted by the Imperial Parliament such as to destroy this plea for the Irish Establishment, I was equally bound in such case to adopt no other: I had shown that justice would fail to warrant the mere support of the Church of the minority; I was held, therefore, not to construct out of rags and tatters, shreds and patches, a new and different case for maintaining it on the ground of favour, or, as it is termed, justice, to Protestants; and, if I had done anything of this kind, I should not have escaped the responsibility of inconsistency, but should simply have added a second and (as I think) a less excusable inconsistency to the first.

The day for the adoption of such a policy as I have described was not far distant.

Scarcely had my work issued from the press when I became aware that there was no party, no section of a party, no individual person probably in the House of Commons, who was prepared to act upon it. I found myself the last man on the sinking ship. Exclusive support to the established religion of the country, with a limited and local exception for Scotland under the Treaty of Union with that country, had been up to that time the actual rule of our policy; the instances to the contrary being of equivocal construction, and of infinitesimal amount. But the attempt to give this rule a vitality other than that of sufferance was an anachronism in time and in place. When I bid it live, it was just about to die. It was really a quickened and not a deadened conscience in the country, which insisted on enlarging the circle of State support, even while it tended to restrain the range of political interference in religion. The condition of our poor, of our criminals, of our military and naval services, and the backward state of popular education, forced on us a group of questions, before the moral pressure of which the old rules properly gave way. At and about the same period, new attempts to obtain grants of public money for the building of churches in

England and Scotland, I am thankful to say, failed. The powerful Government of 1843 also failed to carry a measure of Factory Education, because of the preference it was thought to give to the Established Church. I believe the very first opinion I ever was called upon to give in Cabinet was an opinion in favour of the withdrawal of that measure.

In this state of facts and feelings, notwithstanding the strength of anti-Roman opinion, it was impossible that Ireland should not assert her share, and that a large one, to consideration in these critical matters. The forces, which were now at work, brought speedily to the front and to the top that question of Maynooth College, which I had always (rightly or wrongly) treated as a testing question for the foundations of the Irish Established Church; as, in point of principle, the *Articulus stantis aut cadentis Ecclesiæ.*

In the course of the year 1844, when I was a member of the Cabinet of Sir Robert Peel, he made known to me his opinion that it was desirable to remodel and to increase the Grant to Maynooth. I was the youngest member of that Government, entirely bound up with it in policy, and warmly attached, by respect and even affection, to its head and to some of its leading members. Of association with what was termed ultra-Toryism in general politics I had never dreamed. I well knew that the words of Sir R. Peel were not merely tentative, but that, as it was right they should, they indicated a fixed intention. The choice before me, therefore, was, to support his measure, or to retire from his Government into a position of complete isolation, and what was more than this, subject to a grave and general imputation of political eccentricity. My retirement, I knew, could have no other warrant than this: that it would be a tribute to those laws which, as I have urged, must be upheld for the restraint of changes of opinion and conduct in public men. For I never entertained the idea of opposing the measure of Sir Robert Peel. I can scarcely be guilty of a breach of confidence when I mention that Lord Derby, to whom I had already been indebted for much personal kindness, was one of those colleagues who sought to dissuade me from resigning my office. He urged upon me that such an act must be followed by resistance to the measure of the Government, and that I should run the risk of being mixed with a fierce religious agitation. I replied that I must adhere to my purpose of retirement, but that I did not perceive the necessity of its being followed by resistance to the proposal. Overtures were, not unnaturally, made to me by some of those who resisted it; but they were at once declined. My whole purpose was to place myself in a position in which I should be free to consider my course without being liable to any just suspicion on the ground of personal interest. It is not profane if I say "with a great price obtained I this freedom." The political association in which I stood was to me at the time the alpha and omega of public life. The Government of Sir Robert Peel was believed to be of immovable strength. My place, as President of the Board of Trade, was at the very kernel of its most interesting operations; for it was in progress from year to year, with continually waxing courage, towards the emancipation of industry, and therein

towards the accomplishment of another great and blessed work of public justice. Giving up what I highly prized, aware that

"malè sarta
Gratia nequicquam coit, et rescinditur,"*

I felt myself open to the charge of being opinionated, and wanting in deference to really great authorities; and I could not but know I should be regarded as fastidious and fanciful, fitter for a dreamer, or possibly a schoolman, than for the active purposes of public life in a busy and moving age. In effect so it was. In the month of January, 1845, if not sooner, the resolution of the Cabinet was taken; and I resigned. The public judgment, as might have been expected, did not favour the act. I remember that the 'Daily News,' then as now a journal greatly distinguished for an almost uniform impartiality, as well as for breadth of view and high discernment, remarked at the time or afterwards upon the case, as a rare one, in which a public man had injured himself with the public by an act which must in fairness be taken to be an act of self-denial. I hope that reference to this criticism will not be considered boastful. It can hardly be so; for an infirm judgment, exhibited in a practical indiscretion, is after all the theme of these pages. I do not claim acquittal upon any one of the counts of indictment which I have admitted may be brought against the conduct I pursued. One point only I plead, and plead with confidence. It proved that I was sensible of the gravity of any great change in political conduct or opinion, and desirous beyond all things of giving to the country such guarantees as I could give of my integrity, even at the expense of my judgment and fitness for affairs. If any man doubts this, I ask him to ask himself, what demand political honour could have made with which I failed to comply?

In the ensuing debate on the Address (February 4, 1845), Lord John Russell, in terms of courtesy and kindness which I had little deserved from him, called for an explanation of the cause of my retirement. In a statement which I corrected for 'Hansard's Debates,' I replied that it had reference to the intentions of the Government with respect to Maynooth; that those intentions pointed to a measure "at variance with the system which I had maintained," "in a form the most detailed and deliberate," "in a published treatise:" that although I had never set forth any theory of political affairs as "under all circumstances inflexible and immutable," yet I thought those who had borne such solemn testimony to a particular view of a great constitutional question, "ought not to be parties responsible for proposals which involved a material departure from it." And the purpose of my retirement was to "place myself, so far as in me lay, in a position to form not only an honest, but likewise an independent and an unsuspected judgment," on the plan likely to be submitted by the Government. I also spoke as follows, in more forms than one:

"I wish again and most distinctly to state, that I am not prepared to take part in any religious warfare against that measure, such as I believe it may be; or to

* Hor. Ep. ii. 3. 31.

draw a distinction between the Roman Catholics and other denominations of Christians, with reference to the religious opinions which each of them respectively may hold."

Now I respectfully submit that by this act my freedom was established; and that it has never since, during a period of nearly five-and-twenty years, been compromised.

Some may say that it is perfectly consistent to have endowed Maynooth anew, and yet to uphold on principle, as a part of the Constitution, the Established Church of Ireland. It may be consistent, for them; it was not consistent, as I have distinctly shown, for me. The moment that I admitted the validity of a claim by the Church of Rome for the gift, by the free act of the Imperial Parliament, of new funds for the education of its clergy, the true basis of the Established Church of Ireland for me was cut away. The one had always been treated by me as exclusive of the other. It is not now the question whether this way of looking at the question was a correct one. There are great authorities against it; while it seems at the same time to have some considerable hold on what may be termed the moral sense of portions, perhaps large portions, of the people. The present question is one of fact. It is enough for the present purpose, that such was my view. From that day forward, I have never to my knowledge said one word, in public or in private, which could pledge me on principle to the maintenance of the Irish Church. Nay, in a speech, delivered on the second reading of the Maynooth College Bill, I took occasion distinctly to convey, that the application of religious considerations to ecclesiastical questions in Ireland would be entirely altered by the passing of the measure:—

"The boon to which I for one have thus agreed, is a very great boon. I think it important, most of all important with regard to the principles it involves. I am very far, indeed, from saying that it virtually decides upon the payment of the Roman Catholic priests of Ireland by the State: but I do not deny that it disposes of the religious objections to that measure. I mean that we, who assent to the Bill, shall in my judgment no longer be in a condition to plead religious objections to such a project."*

True, I did not say that I was thenceforward prepared at any moment to vote for the removal of the Established Church in Ireland. And this for the best of all reasons: it would not have been true. It is one thing to lift the anchor; it is another to spread the sails. It may be a duty to be in readiness for departure, when departure itself would be an offence against public prudence and public principle. But I do not go so far even as this On the contrary, I was willing and desirous † that it should be permitted to continue. If its ground in logic was gone, yet it might have, in fact, like much besides, its day of grace. I do not now say that I leapt at once to the conclusion that the Established Church of Ireland must at any definite period "cease to exist as an Establishment." She had my sincere good will; I was not sorry, I was glad, that while Ireland seemed content to have it so, a longer time should be granted her to unfold her religious energies through the medium of an active

* 'Speech on the Second Reading of the Maynooth College Bill,' 1845, p. 44.
† *Ibid.*, p. 33.

and pious clergy, which until this our day she had never possessed. My mind recoiled then, as it recoils now, from the idea of worrying the Irish Church to death. I desired that it should remain even as it was, until the way should be opened, and the means at hand, for bringing about some better state of things.

Moreover, it was a duty, from my point of view, completely to exhaust every chance on behalf of the Irish Church. I have not been disposed, at any time of life, gratuitously to undertake agitation of the most difficult, and at times apparently the most hopeless questions. At the period of the Appropriation Clause, I represented to myself, and I believe to others, that the true power of the Church as a religious engine had never up to that period been fairly tried. In name a religious institution, her influences, her benefices, her sees, were commonly employed for purposes which we must condemn as secular, even if they had not been utterly *anti-national*. Only within a few, a very few years, had her clergy even begun to bestir themselves; and they had forthwith found that, from the unsettled state of the law of tithe, they were in the midst of an agitation, both menacing to public order, and even perilous to life. I was desirous to see what, after person and property should have been rendered secure, and a peaceful atmosphere restored, a generation of pious and zealous men could accomplish in their actual position. I am still of the opinion that thirty-five years ago the religion of the Irish Church had not—to her and to our shame be it spoken—had fair play. From the days of Elizabeth downwards, with the rarest exceptions, the worldly element had entirely outweighed the religious one (whatever the intention may have been), in the actual working of the ecclesiastical institutions of Ireland. Mr. Burke has immortalised the burning shame and the hideous scandals of those penal laws which, perhaps for the first time in the history of Christendom if not of man, aimed at persecuting men out of one religion, but not at persecuting them into another. I will not be so rash as to enter on the field—

"Per quem magnus equos Auruncæ flexit alumnus."

But the time of awakening had come. The Irish Church had grown conscious that she had a Gospel to declare. Even with my present opinions I might feel a scruple as to the measures now proposed, but for the resistless and accumulated proof of impotence afforded by the experience of my life-time, and due, I believe, to a radically false position. For the Irish Church has, since the tithe war of 1830-2 came to an end, had not only fair play—that is such fair play as in Ireland the Establishment allows to the Church—but fair play and something more. She has enjoyed an opportunity, extending over a generation of men, with circumstances of favour such as can hardly be expected to recur. What has been her case? She has had ample endowments; perfect security; an almost unbroken freedom from the internal controversies which have chastened (though, in chastening, I believe improved) the Church of England. The knowledge of the Irish language has been extensively attained by her clergy.* She has had all the moral support that could be given

* See 'Life of Archbishop Whately.'

her by the people of this country; for it was the people, and not a mere party, who, in 1835-8, repudiated and repelled the Appropriation Clause. Her rival, the Church of Rome, has seen its people borne down to the ground by famine; and then thinned from year to year, in hundreds of thousands, by the resistless force of emigration. And, last and most of all, in the midst of that awful visitation of 1847-8, her Protestant Clergy came to the Roman Catholic people clad in the garb of angels of light; for, besides their own bounty (most liberal, I believe, in proportion to their means), they became the grand almoners of the British nation. When, after all this, we arrive at a new census of religion in 1861, we find that only the faintest impression has been made upon the relative numbers of the two bodies; an impression much slighter, I apprehend, than would have been due to the comparative immunity of the Established Church from the drain of emigration; and, if so, representing in reality, not a gain, but a virtual loss of some part of the narrow ground which before was occupied by the favoured religion of the State.

Like others, I have watched with interest the results of those missionary operations in the West of Ireland which have, perhaps, been construed as of a greater ulterior significance than really belongs to them. They were, I understand, due not so much to the Established Church, as to religious bodies in this country, which expend large funds in Ireland for the purpose of making converts: an operation in which the Presbyterians and Protestant Dissenters lend their aid. Let them not be undervalued. But I, for one, recollect that this is not the first time when local and occasional inroads have been successfully effected by Protestants upon the serried phalanx of the Roman Church in Ireland, and have been mistaken for signs of permanent or a general conquest. More than forty years ago, Bishop Blomfield—no mean authority—prophesied or announced, in the House of Lords, that a second Reformation had then begun. And there had indeed taken place in Ireland at that time one, if not more than one, instance of conversions on a large scale to the Established Church, such as was well calculated to excite sanguine anticipations, though they were dispelled by subsequent experience. I think we ought now to perceive that the annexation of the warrant of civil authority to the religious embassy of the Irish Church, discredits in lieu of recommending it in the view of the Irish people. I do not mean that we are to put down the Establishment for the sake of a more effective propagandism. We must not for a moment forget that civil justice, an adaptation of the state of things in Ireland to the essential principles of political right, is that one broad and more than sufficient justification of the measure, in which all its advocates agree. But, over and above this, they may also agree in reflecting with satisfaction that the time is about to come when in Ireland, in lieu of a system which insults the religion of the majority and makes that of the minority powerless, creeds will compete upon the level, and will thrive according to their merits. Nor will they be offended with one another when, in the anticipation of such a state of things, each man who has faith in freedom, faith in justice, faith in truth, anticipates a harvest of benefit for his own.

The emancipation thus effected from the net in which I had been bound was soon after tested. In 1846, it was suggested to me that I should oppose a member of the newly-formed Government of Lord John Russell. In my reply, declining the proposal, I wrote thus: "As to the Irish Church, I am not able to go to war with them on the ground that they will not pledge themselves to the maintenance of the existing appropriation of Church property in Ireland." This, however, was a private proceeding. But, early in 1847, Mr. Estcourt announced his resignation of the seat he had held, amidst universal respect, for the University of Oxford. The partiality of friends proposed me as a candidate. The representation of that University was, I think, stated by Mr. Canning to be to him the most coveted prize of political life. I am not ashamed to own that I desired it with an almost passionate fondness. For besides all the associations it maintained and revived, it was in those days an honour not only given without solicitation, but, when once given, not withdrawn.* The contest was conducted with much activity and some heat. I was, naturally enough, challenged as to my opinions on the Established Church of Ireland. My friend Mr. Coleridge, then young, but already distinguished, was one of my most active and able supporters. He has borne spontaneous testimony, within the last few weeks, to the manner in which the challenge was met:—

"Gentlemen, I must be permitted—because an attack has been made upon Mr. Gladstone, and it has been suggested that his conversion to his present principles is recent—to mention what is within my own knowledge and experience with regard to him. In 1847, when I was just leaving Oxford, I had the great honour of being secretary to his first election committee for that university, and I well recollect how, upon that occasion, some older and more moderate supporters were extremely anxious to draw from him some pledge that he should stand by the Irish Church. He distinctly refused to pledge himself to anything of the kind."†

The next Parliamentary occasion, after the Maynooth Grant, which brought prominently into view the ecclesiastical arrangements of Ireland, was that of the Ecclesiastical Titles Bill in 1851. I felt bound, as one of a very small minority, but in cordial agreement with the chief surviving associates of Sir Robert Peel, to offer all the opposition in my power, not only to the clauses by which the party then called Protectionist, and now Tory, Conservative, or Constitutionalist, endeavoured to sharpen the sting of the measure, but to the substance of the measure itself. I may be permitted to observe, that for the representative of the University of Oxford thus to set himself against the great bulk of the Liberal as well as the Conservative party, whatever else it may have been, was not a servile or a self-seeking course. But this is irrelevant. It is more to the present purpose to observe that, in resisting this measure, I did not attempt to mitigate the offence by any profession of adhesion in principle to the maintenance of the Established Church of Ireland; but I spoke as follows:—

* The case of Sir R. Peel, in 1829, I do not consider an exception to this remark, as he gave back the charge into the hands of the electors.

† Mr. Coleridge's speech at Exeter, August, 1868. From the 'Manchester Examiner' of August 22.

"We cannot change the profound and resistless tendencies of the age towards religious liberty. It is our business to guide and control their application. Do this you may. But to endeavour to turn them backwards is the sport of children, done by the hands of men; and every effort you may make in that direction will recoil upon you in disaster and disgrace."*

The years flowed on. From 1846 forwards, the controversy of Free Trade was, as a rule, the commanding and absorbing controversy, the pole of political affairs. But from time to time motions were made in relation to the Established Church of Ireland. That question remained as one asleep, but whose sleep is haunted with uneasy dreams. These motions were, as far as I remember them, uniformly of a narrow and partial character. They aimed at what is called getting in the thin end of the wedge. All honour, however, to each one of those who made them. The mover of any such proposal was *vox clamantis in deserto*. The people of England had, in 1835-8, settled the matter for the time. The reproaches now made against the older leaders and the body of the Liberal party for not having seriously entered the struggle, appear to me to be not only unjust but even preposterous. The Legislature had other great subjects to deal with besides the Irish Church. Four years of deadly conflict on such a matter might well be followed by five times four of repose. But in the mean time individuals, by their partial and occasional efforts, bore witness to a principle broader than any which they formally announced. That principle—the application of a true religious equality to Ireland—was biding its time.

No one, in my opinion, was bound to assert, by speech or vote, any decisive opinion upon so great and formidable a question until he should think, upon a careful survey of the ground and the time, of the assisting and opposing forces, that the season for action had come. The motions actually made were commonly motions for inquiry, or motions aimed generally at a change. I did not enter into the debates. When I voted, I voted against them; and against such motions, if they were made, I should vote again.

I now arrive at the Government of 1859-65. He who has slept long is likely soon to wake. After the Free Trade struggles of 1860 and 1861 were over, so it was, I thought, with the question of the Irish Church. There was a lull in political affairs. They hung, in a great degree, upon a single life—the remarkable life of Lord Palmerston. It was surely right to think a little of the future. The calm was certain to be succeeded by a breeze, if not a gale. It was too plain to me that the inner disposition of Ireland, relatively to this country, was not improving; and that, in the course of years, more or fewer, the question of the Irish Church was certain to revive, and, if it should revive, probably to be carried to a final issue. My first thought, under these circumstances, was about my constituents. Anxiously occupied in other matters, I did not give my nights and days to the question of the Irish Church. Yet the question continually flitted, as it were, before me; and I felt that, before that question arose in a practical shape, my relation to the University should be considered, and its Convocation distinctly

* 'Corrected Speech on the Ecclesiastical Titles Bill,' 1851, p. 28.

apprised that at the proper time it would be my duty to support very extensive changes in the Irish Church. My valued friend, Sir R. Palmer, has done me the favour, of his own motion, to state in public that I then apprised him of my state of mind:—

"There had been people who had said, 'You would never have heard anything about the Irish Church question from Mr. Gladstone if the Tories had not been in power, and he had not wanted to get their place.' (Hear, hear.) To his certain knowledge that was not true. He could mention what had taken place between Mr. Gladstone and himself, and he did so the rather because it did justice to him, and would show them that his own mind had been particularly addressed to that subject, to which he had paid some degree of attention some years before the present time. In the year 1863, at a time when no one was bringing forward this question, or seemed very likely to do so, Mr. Gladstone had told him privately that he had made up his mind on the subject, and that he should not be able to keep himself from giving public expression to his feelings. How far or near that might be practicable, he could not foresee; but, under the circumstances, he wanted his friends connected with the University of Oxford to consider whether or not they would desire for that reason a change in the representation of the University."*

Partly because I felt that this question might come to the front, and partly because I saw a manifest determination in a portion of the Academical constituency to press my friends with incessant contests, of which I was unwilling to be the hero, I was not indisposed to retire without compulsion from the seat, if it could have been done without obvious detriment to the principles on which I had been returned. This was judged to be uncertain. Consequently, I remained. But in 1865, on the motion of Mr. Dillwyn, I made a speech, in which I declared that present action was impossible, that at any period immense difficulties would have to be encountered, but that this was "the question of the future." I stated strongly, though summarily, some of the arguments against the Church as it stood. I entirely abstained from advising or glancing at the subject of mere reform, and I did not use one word from which it could be inferred that I desired it to continue in its place as the National or Established Church of the country.

My speech was immediately denounced by Mr. (now Chief Justice) Whiteside, as one intended to be fatal to the Established Church of Ireland when an opportunity should arise; † and I am told that my opponents in the University circulated my speech among their portion of the constituency (as I think they were quite justified in doing) to my prejudice. My friends, however, stood by me, and resolved to contend for the seat. An application was made to me by a distinguished scholar, divine, and teacher, the Warden of Trinity College, Glenalmond, to give certain explanations for the appeasing of doubts. I did so in the following letter:—

* Sir R. Palmer's speech at Richmond, August, 1868. From the 'Manchester Examiner' of August 24.

† 'Hansard,' vol. clxxviii. p. 444.—"But I do complain of a Minister who, himself the author of a book in defence of Church and State, when one branch of the Christian Church is attacked and in danger, delivers a speech, every word of which is hostile to its existence when the right time comes for attacking it."

"11, Carlton House Terrace, S.W., June 8, 1865.

"DEAR DR. HANNAH,—It would be very difficult for me to subscribe to *any* interpretation of my speech on the Irish Church like that of your correspondent, which contains so many conditions and bases of a plan for dealing with a question apparently remote, and at the same time full of difficulties on every side. My reasons are, I think, plain. First, because the question is remote, and apparently out of all bearing on the practical politics of the day, I think it would be for me worse than superfluous to determine upon any scheme or basis of a scheme with respect to it. Secondly, because it is difficult, even if I anticipated any likelihood of being called upon to deal with it, I should think it right to make no decision beforehand on the mode of dealing with the difficulties. But the first reason is that which chiefly weighs. As far as I know, my speech signifies pretty clearly the broad distinction which I take between the abstract and the practical views of the subject. And I think I have stated strongly my sense of the responsibility attaching to the opening of such a question, except in a state of things which gave promise of satisfactorily closing it. For this reason it is that I have been so silent about the matter, and may probably be so again; but I could not as a Minister, and as member for Oxford, allow it to be debated an indefinite number of times and remain silent. One thing, however, I may add, because I think it a clear landmark. In any measure dealing with the Irish Church, I think (though I scarcely *expect* ever to be called on to share in such a measure) the Act of Union must be recognised and must have important consequences, especially with reference to the position of the hierarchy.

"I am much obliged to you for writing, and I hope you will see and approve my reasons for not wishing to carry my *own mind* further into a question lying at a distance I cannot measure.

"Yours sincerely,

(Signed) "W. E. GLADSTONE.

"Rev. the WARDEN, Trin. Coll., Perth."

The letter has been the object of much criticism upon these three grounds. First, it contained a statement that the Act of Union ought to entail important consequences in the formation of any measure relating to the Irish Church. Secondly, that the question was hardly within the domain of practical politics. Thirdly, that I felt very uncertain whether it would be dealt with in my time. The explanation of the first is as follows:—In contemplating the subject of the Irish Church, I did not see how to give full effect to the principle of religious equality without touching the composition of the House of Lords. In this strait, my personal opinion was that it would be best to retain (though in an altered form) the Episcopal element from Ireland in the House of Lords, lest its withdrawal should lead to other changes, of a kind to weaken the constitution of that important branch of the legislature; and thus far I was disposed to abridge the application of religious equality to Ireland. I had not yet examined the question so closely as to perceive that this mode of proceeding was wholly impracticable, and that the inconvenience of removing the Irish Bishops must be faced. And for my part I have not been so happy, at any time of my life, as to be able sufficiently to adjust the proper conditions of handling any difficult question, until the question itself was at the door. This retention of the Bishops in the House of Peers was the important consequence that I thought the Act of Union would draw.

Among those errors of the day which may be called singular as

vulgar errors, is that which supposes the fifth Article of the Act of Union with Ireland to refer to the endowments of the Church. Its terms touch exclusively her "doctrine, worship, discipline, and government." There is no violation of this section of the Act of Union in withdrawing her endowments, were she stripped of every shilling. But it may be said that her "government," as distinguished from her discipline, perhaps involves the position of her exclusive relation to the State. So I thought; and accordingly thus I wrote to Dr. Hannah.

The second proposition of the letter was not only in harmony with my speech, it was simply the condensation of the speech into a brief form of words. For, agreeing with Mr. Dillwyn as to the merits of the case, I held, as I have ever held, that it is not the duty of a Minister to be forward in inscribing on the Journals of Parliament his own abstract views; or to disturb the existence of a great institution like the Church of Ireland, until he conceives the time to be come when he can probably give effect to his opinions. Because the question was not within the range of practical politics, agreeing with his sentiment, I voted against his motion.

But, forsooth, it is a matter of wonder that I should have felt doubtful whether the Irish Church would be dealt with in my time. Now, I do not complain of this. It is an example of what is continually happening in human affairs, of the mythical handling of facts, of the reflection of the ideas, feelings, and circumstances of one period upon the events of another, and thus dressing the past in the garb of the present. I abide by this, and by every word of the letter. The question of the Irish Church was in my view, in the year 1865, what, be it remembered, the question of Parliamentary Reform seemed to be in the first moiety of the year 1830—namely, a remote question. Had any man said to me, "How soon will it come on?" I should have replied, "Heaven knows; perhaps it will be five years, perhaps it will be ten." My duty was to let my constituents know the state of my mind on a matter so important, because the wind was gradually veering to that quarter, even though I might not believe, and did not believe it to be the most probable event, that it would reach the point for action during the life of the Parliament just then about to be elected. But then I referred to my own political lifetime. On that subject I will only say that a man who, in 1865, completed his thirty-third year of a laborious career, who had already followed to the grave the remains of almost all the friends abreast of whom he had started from the University in the career of public life; and who had observed that, excepting two recent cases, it was hard to find in our whole history a single man who had been permitted to reach the fortieth year of a course of labour similar to his own within the walls of the House of Commons; such a man might surely be excused if he did not venture to reckon for himself on an exemption from the lot of greater and better men, and if he formed a less sanguine estimate of the fraction of space yet remaining to him, than seems to have been the case with his critics.

The reasons that, in my judgment, prove the time now to have arrived for dealing decisively with the question of the Irish Church Establishment, must be treated elsewhere than in these pages.

So far as Ireland, and the immediate controversy, and my personal vindication are concerned, I have done. But there is matter of wider interest, which connects itself with the subject. The change of conduct, the shifting of the mind of an individual, shrink into insignificance by the side of the question. What has been, since 1838, the direction of the public sentiment, the course of law and administration, the general march of affairs?

I have described the erroneous impressions as to the actual and prospective state of things, under which was urged the practical application of that system of thought embodied in my work of 1838. It may be said my error was a gross or even an absurd one. On that question I need not enter. But I will endeavour to bring into view some circumstances relating to the time, which may help to account for it. And here I feel that I pass beyond the narrower and more personal scope of these pages, if I attempt to recall some of the changes that have taken place during the last thirty or five-and-thirty years, in matters which bear upon the religious character and relations of the State.

At that time, Jews, and others not adopting the Christian name, were excluded from civil office; and though Roman Catholics and Nonconformists had effected an entrance into Parliament, there still remained an oath for the former, and a declaration for the latter, which, if they did not practically limit freedom, yet denoted, like the mark of chains on the limbs of an emancipated slave, that there had been a time when it did not exist. The Establishment of Scotland was still entire, and animated with the strength principally of the eminent men who afterwards led the Free Church Secession. The attack on the Irish Church, pushed in 1835 with earnestness and vigour by the Liberal party, had speedily proved to be hopeless. The State continued to make to other persuasions certain grants, little more than compassionate, and handed down from other times; but, even in the case of the classes especially in its charge, such as soldiers and sailors, or such again as paupers and criminals, it rarely permitted, and still more rarely provided for them, the means of religious worship according to their own religious convictions. In the great province of popular education in England, nothing was granted except to schools of the Church, or to schools in which, while the Bible was read, no religion other than that of the Church was taught; and he would have been deemed something more than a daring prophet, who should have foretold that in a few years the utmost ambition of the lay champions, and of the spiritual heads of the Church, would be to obtain the maintenance of a denominational system in popular education, under which all religions alike should receive the indirect, yet not unsubstantial, countenance of the State.

But the most important of all the changes which have taken place within the interval, has been the change in the condition of the Church of England itself.

Even for those old enough to have an adequate recollection of the facts, it requires no inconsiderable mental effort to travel backwards over the distractions, controversies, perils, and calamities of the last thirty years, to the period immediately before those years; and to

realise not only the state of facts, but especially the promises and prospects which it presented. I am well aware that any description of it which may now be attempted will appear to bear more or less the colour of romance; but, without taking it into view, no one can either measure the ground over which we have travelled, or perceive how strong was then the temptation to form an over-sanguine estimate of the probable progress of the Church in her warfare with sin and ignorance, and even in persuading seceders of all kinds to re-enter her fold.

That time was a time such as comes, after sickness, to a man in the flower of life, with an unimpaired and buoyant constitution; the time in which, though health is as yet incomplete, the sense and the joy of health are keener, as the fresh and living current first flows in, than are conveyed by its even and undisturbed possession.

The Church of England had been passing through a long period of deep and chronic religious lethargy. For many years, perhaps for some generations, Christendom might have been challenged to show either then or from any former age, a clergy (with exceptions) so secular and lax, or congregations so cold, irreverent, and indevout. The process of awakening had, indeed, begun many years before; but a very long time is required to stir up effectually a torpid body, whose dimensions overspread a great country. Active piety and zeal among the clergy, and yet more among the laity, had been in a great degree confined within the narrow limits of a party, which, however meritorious in its work, presented in the main phenomena of transition, and laid but little hold on the higher intellect and cultivation of the country. Our churches and our worship bore in general too conclusive testimony to a frozen indifference. No effort had been made either to overtake the religious destitution of the multitudes at home, or to follow the numerous children of the Church, migrating into distant lands, with any due provision for their spiritual wants. The richer benefices were very commonly regarded as a suitable provision for such members of the higher families as were least fit to push their way in any profession requiring thought or labour. The abuses of plurality and non-residence were at a height, which, if not proved by statistical returns, it would now be scarcely possible to believe. In the greatest public school of the country (and I presume it may be taken as a sample of the rest) the actual teaching of Christianity was all but dead, though happily none of its forms had been surrendered. It is a retrospect full of gloom; and with all our Romanising, and all our Rationalising, what man of sense would wish to go back upon those dreary times:

"Domos Ditis vacuas, et inania regna"? *

But between 1831 and 1840, the transformation, which had previously begun, made a progress altogether marvellous. Much was due, without doubt, to the earnest labour of individuals. Such men as Bishop Blomfield on the Bench, and Dr. Hook in the parish (and I name them only as illustrious examples), who had long been toiling with a patient but a dauntless energy, began as it were to get the upper hand. But causes of deep and general operation were

* Æn. vi.

also widely at work. As the French Revolution had done much to renovate Christian belief on the Continent, so the Church of England was less violently, but pretty sharply, roused by the political events which arrived in a rattling succession. In 1828, the repeal of the Test Act. In 1829, the emancipation of the Roman Catholics. In 1831-2, the agony and triumph of Reform. In 1833, the Church Temporalities Act for Ireland. There was now a general uprising of religious energy in the Church throughout the land. It saved the Church. Her condition before 1830 could not possibly have borne the scrutinising eye, which for thirty years past has been turned upon our institutions. Her rank corruptions must have called down the avenging arm. But it was arrested just in time.

It would be difficult to give a just and full idea of the beneficial changes which were either accomplished or begun during this notable decade of years. They embraced alike formal, official movements, of a nature to strike the general eye, and those local improvements in detail, which singly are known only in each neighbourhood, but which unitedly transform the face of a country. Laws were passed to repress gross abuses, and the altering spirit of the clergy seconded and even outstripped the laws. The outward face of divine worship began to be renovated, and the shameful condition of the sacred fabrics was rapidly amended, with such a tide of public approval as overflowed all the barriers of party and of sect, and speedily found its manifestations even in the seceding communions. There is no reason to doubt that at that time at least, and before such changes had become too decidedly the fashion, the outward embellishment of churches, and the greater decency and order of services, answered to, and sprang from, a call within, and proved a less unworthy conception of the sublime idea of Christian worship. The missionary arm of the Church began to exhibit a vigour wholly unknown to former years. Noble efforts were made, under the auspices of the chief bishops of the Church, to provide for the unsatisfied spiritual wants of the metropolis. The great scheme of the Colonial Episcopate was founded; and, in its outset, led to such a development of apostolic zeal and self-denial as could not but assist, by a powerful reaction, the domestic progress. The tone of public schools (on one of which Arnold was now spending his noble energies) and of universities, was steadily yet rapidly raised. The greatest change of all was within the body of the clergy.* A devoted piety and an unworldly life, which had been the rare exceptions, became visibly from year to year more and more the rule. The spectacle, as a whole, was like what we are told of a Russian spring: when, after long months of rigid cold, almost in a day the snow dissolves, the ice breaks up and is borne away, and the whole earth is covered with a rush of verdure. These were bright and happy days for the Church of England. She seemed, or seemed to seem, as a

* It was, I think, about the year 1835, that I first met the Rev. Sydney Smith, at the house of Mr. Hallam. In conversation after dinner he said to me, with the double charm of humour and of good-humour, "The improvement of the clergy in my time has been astonishing. Whenever you meet a clergyman of my age, you may be quite sure that he is a bad clergyman."

Church recalling the descriptions of Holy Writ; to be "beautiful as the sun which goeth forth in his might,"* "and terrible as an army with banners."†

Of this great renovating movement, a large part centred in Oxford. At the time, indeed, when I resided there, from 1828 to 1831, no sign of it had yet appeared. A steady, clear, but dry Anglican orthodoxy bore sway, and frowned, this way or that, on the first indication of any tendency to diverge from the beaten path. Dr. Pusey was, at that time, revered, indeed, for his piety and charity, no less than admired for his learning and talents, but suspected (I believe) of sympathy with the German theology, in which he was known to be profoundly versed. Dr. Newman was thought to have about him the flavour of what, he has now told the world, were the opinions he had derived in youth from the works of Thomas Scott. Mr. Keble, the "sweet singer of Israel," and a true saint, if this generation has seen one, did not reside in Oxford.‡ The chief Chair of Theology had been occupied by Bishop Lloyd, the old tutor and the attached and intimate friend of Peel: a man of powerful talents, and of a character both winning and decided, who, had his life been spared, might have acted powerfully for good on the fortunes of the Church of England, by guiding the energetic influences, which his teaching had done much to form. But he had been hurried away in 1829 by an early death: and Dr. Whately, who was also, in his own way, a known power in the University, was in 1830 induced to accept the Archbishopric of Dublin. There was nothing at that time in the theology, or in the religious life, of the University to indicate what was to come. But when, shortly afterwards, the great heart of England began to beat with the quickened pulsations of a more energetic religious life, it was in Oxford that the stroke was most distinct and loud. An extraordinary change appeared to pass upon the spirit of the place. I believe it would be a moderate estimate to say that much beyond one half of the very flower of its youth chose the profession of Holy Orders, while an impression scarcely less deep seemed to be stamped upon a large portion of its lay pupils. I doubt whether at any period of its existence, either since the Reformation, or perhaps before it, the Church of England had reaped from either University, in so short a time, so rich a harvest. At Cambridge a similar lifting up of heart and mind seems to have been going on; and numbers of persons of my own generation, who at their public schools had been careless and thoughtless like the rest, appeared in their early manhood as soldiers of Christ, and ministers to the wants of His people, worthy, I believe, as far as man can be worthy, through their zeal, devotion, powers of mind, and attainments, of their high vocation. It was not then foreseen what storms were about to rise. Not only in Oxford, but in England, during the years to which I refer, party spirit within the Church was reduced to a low ebb. Indiscretions there might be, but authority did not take

* Judges, v. 31. † Canticles, vi. 4.

‡ Since these lines were written I have learned, upon authority which cannot be questioned, that Mr. Keble acknowledged the justice of disestablishing the Irish Church.

alarm: it smiled rather, on the contrary, on what was thought to be in the main a recurrence both to first principles and to forgotten obligations. Purity, unity, and energy seemed, as three fair sisters, hand in hand, to advance together. Such a state of things was eminently suited to act on impressible and sanguine minds. I, for one, formed a completely false estimate of what was about to happen; and believed that the Church of England, through the medium of a regenerated clergy and an intelligent and attached laity, would not only hold her ground, but would even in great part probably revive the love and the allegiance both of the masses who were wholly falling away from religious observances, and of those large and powerful nonconforming bodies, the existence of which was supposed to have no other cause than the neglect of its duties by the National Church, which had long left the people as sheep without a shepherd.

And surely it would have required either a deeply saturnine or a marvellously prophetic mind to foretell that, in ten or twelve more years, that powerful and distinguished generation of clergy would be broken up: that at least a moiety of the most gifted sons, whom Oxford had reared for the service of the Church of England, would be hurling at her head the hottest bolts of the Vatican: that, with their deviation on the one side, there would arise a not less convulsive rationalistic movement on the other; and that the natural consequences would be developed in endless contention and estrangement, and in suspicions worse than either, because even less accessible, and even more intractable. Since that time, the Church of England may be said to have bled at every pore; and at this hour it seems occasionally to quiver to its very base. And yet, all the while, the religious life throbs more and more powerfully within her. Shorn of what may be called the romance and poetry of her revival, she abates nothing of her toil; and in the midst of every sort of partial indiscretion and extravagance, her great office in the care of souls is, from year to year, less and less imperfectly discharged. But the idea of asserting on her part those exclusive claims, which become positively unjust in a divided country governed on popular principles, has been abandoned by all parties in the State.

There was an error not less serious in my estimate of English Nonconformity. I remember the astonishment with which at some period,—I think in 1851-2,—after ascertaining the vast addition which had been made to the number of churches in the country, I discovered that the multiplication of chapels, among those not belonging to the Church of England, had been more rapid still. But besides the immense extension of its material and pastoral organisation, English Nonconformity (in general) appears now to have founded itself on a principle of its own, which forbids the alliance of the civil power with religion in any particular form or forms. I do not embrace that principle. But I must observe, in passing, that it is not less unjust than it is common to stigmatise those who hold it as "political Dissenters,"—a phrase implying that they do not dissent on religious grounds. But if they, because they object to the union of Church and State, are political Dissenters, it follows that all who uphold it are political Churchmen.

The entire miscalculation which I have now endeavoured to

describe of the religious state and prospects of the country, was combined with a view of the relative position of governors and governed, since greatly modified; and the two lay at the root of my error. These two causes led me into the excess of recommending the continued maintenance of a theory which was impracticable, and which, if it could have been enforced, would have been, under the circumstances of the country, less than just. For I never held that a National Church should be permanently maintained except for the nation,—I mean either for the whole of it or, at least, for the greater part, with some kind of real concurrence or general acquiescence from the remainder.

Against the proposals of my book, Lord Macaulay had set up a theory of his own.*

"That we may give Mr. Gladstone his revenge, we will state concisely our own views respecting the alliance of Church and State. . . . .

"We consider the primary end of Government as a purely temporal end, the protection of the persons and property of men.

"We think that Government, like every other contrivance of human wisdom, from the highest to the lowest, is likely to answer its main end best, when it is constructed with a single view to that end. . . . .

"Government is not an institution for the propagation of religion, any more than St. George's Hospital is an institution for the propagation of religion. And the most absurd and pernicious consequences would follow if Government should pursue as its primary end, that which can never be more than its secondary end: though intrinsically more important than its primary end. But a Government which considers the religious instruction of the people as a secondary end, and follows out that principle faithfully, will we think be likely to do much good and little harm."

These sentences, I think, give a fair view of Lord Macaulay's philosophy of Church Establishments. It has all the clearness and precision that might be expected from him. But I own myself unable to accept it as it stands. I presume to think that perhaps Lord Macaulay, like myself, made, from a limited induction, a hasty generalisation. The difference was, that his theory was right for the practical purpose of the time, while mine was wrong. Considered, however, in the abstract, that theory appears to me to claim kindred with the ethical code of another writer, not less upright, and not less limpid, so to speak, than Lord Macaulay himself, I mean Dr. Paley. And the upshot of it may be comprised in three words: Government is police. All other functions, except those of police proper, are the accidents of its existence. As if a man should say to his friend when in the country, "I am going up to town; can I take anything for you?" So the State, while busy about protecting life and property, will allow its officer of police to perform any useful office for the community, to instruct a wayfarer as to his road, or tell the passer by what o'clock it is, provided it does not interfere with his watching the pickpocket, or laying the strong hand upon the assassin. I doubt if it is possible to cut out, as it were, with a pair of scissors, patterns of policy, which shall solve for all time and place the great historic problem of the relation of the civil power to religion.

* 'Ed. Rev.', April, 1839, p. 273-6.

It seems to me that in every function of life, and in every combination with his fellow-creatures, for whatever purpose, the duties of man are limited only by his powers. It is easy to separate, in the case of a Gas Company or a Chess Club, the primary end for which it exists, from everything extraneous to that end. It is not so easy in the case of the State or of the family. If the primary end of the State is to protect life and property, so the primary end of the family is to propagate the race. But around these ends there cluster, in both cases, a group of moral purposes, variable indeed with varying circumstances, but yet inhering in the relation, and not external or merely incidental to it. The action of man in the State is moral, as truly as it is in the individual sphere; although it be limited by the fact that, as he is combined with others whose views and wills may differ from his own, the sphere of the common operations must be limited, first, to the things in which all are agreed; secondly, to the things in which, though they may not be agreed, yet equity points out, and the public sense acknowledges, that the whole should be bound by the sense of the majority.

I can hardly believe that even those, including as they do so many men both upright and able, who now contend on principle for the separation of the Church from the State, are so determined to exalt their theorem to the place of an universal truth, that they ask us to condemn the whole of that process, by which, as the Gospel spread itself through the civilised world, Christianity became incorporated with the action of civil authority, and with the framework of public law. In the course of human history, indeed, we perceive little of unmixed evil, and far less of universal good. It is not difficult to discern that (in the language of Bishop Heber) as the world became Christian, Christianity became worldly; that the average tone of a system, which embraces in its wide-spreading arms the entire community, is almost of necessity lower than that of a society which, if large, is still private, and into which no man enters except by his own deliberate choice, very possibly even at the cost of much personal and temporal detriment. But Christ died for the race: and those who notice the limited progress of conversion in the world until alliance with the civil authority gave to His religion a wider access to the attention of mankind, may be inclined to doubt whether, without that alliance, its immeasurable and inestimable social results would ever have been attained. Allowing for all that may be justly urged against the danger of mixing secular motives with religious administration, and above all against the intrusion of force into the domain of thought; I for one cannot desire that Constantine in the government of the empire, that Justinian in the formation of its code of laws, or that Charlemagne in refounding society, or that Elizabeth in the crisis of the English Reformation, should have acted on the principle that the State and the Church in themselves are separate or alien powers, incapable of coalition.

But there are two causes, the combined operation of which, upon reaching a certain point of development, relaxes or dissolves their union by a process as normal (if it be less beneficial) as that by which the union was originally brought about. One of these is the establishment of the principle of popular self-government as the

basis of political constitutions. The other is the disintegration of Christendom from one into many communions. As long as the Church at large, or the Church within the limits of the nation, is substantially one, I do not see why the religious care of the subject, through a body properly constituted for the purpose, should cease to be a function of the State, with the whole action and life of which it has, throughout Europe, been so long and so closely associated. As long as the State holds, by descent, by the intellectual superiority of the governing classes, and by the good will of the people, a position of original and underived authority, there is no absolute impropriety, but the reverse, in its commending to the nation the greatest of all boons. But when, either by some Revolution of institutions from their summit to their base, or by a silent and surer process, analogous to that which incessantly removes and replaces the constituent parts of the human body, the State has come to be the organ of the deliberate and ascertained will of the community, expressed through legal channels—then the inculcation of a religion can no longer rest, in full or permanent force, upon its authority. When, in addition to this, the community itself is split and severed into opinions and communions, which, whatever their concurrence in the basis of Christian belief, are hostile in regard to the point at issue, so that what was meant for the nation dwindles into the private estate as it were of a comparative handful—the attempt to maintain an Established Church becomes an error fatal to the peace, dangerous perhaps even to the life, of civil society. Such a Church then becomes (to use a figure I think of John Foster's), no longer the temple, but the mere cemetery, of a great idea. Such a policy is then not simply an attempt to treat what is superannuated and imbecile as if it were full of life and vigour, but to thwart the regular and normal action of the ruling social forces, to force them from their proper channels, and to turn them by artificial contrivance, as Apollo turned the rivers of Troas from their beds, to a purpose of our own. This is to set caprice against nature; and the end must be that, with more or less of delay, more or less of struggle or convulsion, nature will get the better of caprice.

But does it follow from all this, that the tone of moral action in the State should be lowered? Such a fear is what perplexes serious and sober men, who are laudably unwilling to surrender, in a world where falsehood has so wide a range, any portion of this vantage-ground of truth and right. I, who may have helped to mislead them by an over-hasty generalisation, would now submit what seems to me calculated to re-assure the mind. I make an appeal to the history of the last thirty years. During those years, what may be called the dogmatic allegiance of the State to religion has been greatly relaxed; but its consciousness of moral duty has been not less notably quickened and enhanced. I do not say this in depreciation of Christian dogma. But we are still a Christian people. Christianity has wrought itself into the public life of fifteen hundred years. Precious truths, and laws of relative right and the brotherhood of man, such as the wisdom of heathenism scarcely dreamed of and could never firmly grasp, the Gospel has made to be part of our common inheritance, common as the sunlight that warms us, and as

the air we breathe. Sharp though our divisions in belief may be, they have not cut so deep as to prevent, or as perceptibly to impair, the recognition of these great guides and fences of moral action. It is far better for us to trust to the operation of these our common principles and feelings, and to serve our Maker together in that wherein we are at one, rather than in aiming at a standard theoretically higher, to set out with a breach of the great commandment, which forms the groundwork of all relative duties, and to refuse to do as we would be done by.

It is, then, by a practical rather than a theoretic test that our Establishments of religion should be tried. In applying this practical test, we must be careful to do it with those allowances, which are as necessary for the reasoner in moral subjects, as it is for the reasoner in mechanics to allow for friction or for the resistance of the air. An Establishment that does its work in much, and has the hope and likelihood of doing it in more: an Establishment that has a broad and living way open to it, into the hearts of the people: an Establishment that can commend the services of the present by the recollections and traditions of a far-reaching past: an Establishment able to appeal to the active zeal of the greater portion of the people, and to the respect or scruples of almost the whole, whose children dwell chiefly on her actual living work and service, and whose adversaries, if she has them, are in the main content to believe that there will be a future for them and their opinions: such an Establishment should surely be maintained. But an Establishment that neither does, nor has her hope of doing, work, except for a few, and those few the portion of the community whose claim to public aid is the smallest of all: an Establishment severed from the mass of the people by an impassable gulph, and by a wall of brass: an Establishment whose good offices, could she offer them, would be intercepted by a long unbroken chain of painful and shameful recollections: an Establishment leaning for support upon the extraneous aid of a State, which becomes discredited with the people by the very act of lending it: such an Establishment will do well for its own sake, and for the sake of its creed, to divest itself, as soon as may be, of guards and trappings, and to commence a new career, in which, renouncing at once the credit and the discredit of the civil sanction, it shall seek its strength from within, and put a fearless trust in the message that it bears.

September 22, 1868.

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POLITICAL PARTIES—PAST AND FUTURE.

TWO SPEECHES

DELIVERED BY THE

RIGHT HON. W. E. GLADSTONE, M.P.,

TO HIS CONSTITUENTS

ON THE OCCASION OF HIS FIRST

VISIT TO ORMSKIRK AND SOUTHPORT

DECEMBER 19TH, 1867.

ORMSKIRK:
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1868.

SPEECHES

OF

THE RIGHT HON. W. E. GLADSTONE, M.P.,

ON

POLITICAL PARTIES—PAST AND FUTURE.

MEETING AT ORMSKIRK.

On Thursday, the 19th of December, 1867, The Right Hon. William Ewart Gladstone addressed the Electors of South Lancashire at Ormskirk and Southport. Considerable interest was attached to the occasion and to the two speeches then delivered, not merely from the fact that this was Mr. Gladstone's first political visit to the neighbourhood, but because the speeches to be delivered were the right hon. gentleman's first political utterances to his constituents since the defeat, or rather the inauguration and partial development, of his Reform policy of 1866. On the previous day Mr. Gladstone had delivered three important speeches in the town of Oldham, the one in reply to an address given to the right hon. gentleman by the Corporation of that town referring principally to the French Treaty, Parliamentary Reform, and to the Fenian movement. From Oldham Mr. Gladsone proceeded to Manchester, and on the morning of his visit to Ormskirk arrived at Liverpool, where he was met by a number of gentlemen at the Tithebarn-street station; and the railway company having placed a special train at their service, the party proceeded to West Tower, Aughton, the residence of Edgar Musgrove, Esq., and there partook of luncheon, and afterwards proceeded to Ormskirk, where Mr. Gladstone received a warm and most pleasing reception. The town was all astir to do honour to the distinguished statesman, and was gaily decorated with flags and banners suspended from almost every window and across the principal streets. On arriving at Ormskirk, Mr. Gladstone, accompanied by Mr. Musgrove, Mr. Sudbury (architect), and a number of other gentlemen, visited the new building of the Working Men's Institute, with the large lecture-hall of which, as well as with the building as a whole, he expressed himself very much pleased. The meeting to be addressed by Mr. Gladstone was fixed to be held in the Town-hall, at three o'clock, at which hour the hall was densely crowded, the audience including many of the most influential electors in the district—both Liberal and Conservative, and the orchestra, at the south end of the room, was occupied by the ladies.

The interior of the hall had been very tastefully dressed for the occasion with evergreens and silken banners, and appropriate mottoes were scrolled on the walls. At the top (north) end of the room was the shield of the royal arms, surmounted with the letters "V.R.," above which were the mottoes "Gladstone and judicious reform in Church and State," and "Gladstone and a just redistribution of seats;" and on the other walls were displayed the mottoes "Principle, not place," "Gladstone and educational progress," "Gladstone and free trade," and "Gladstone and reduced taxation." On the moment Mr. Gladstone entered the hall he was greeted with the most deafening applause, which continued until he reached his seat, and which he very courteously but silently acknowledged. The chair was taken by Edgar Musgrove, Esq., J.P., of West Tower, Aughton, Ormskirk, at the earnest request of the friends and supporters of Mr. Gladstone, at a meeting convened for making the necessary arrangements to do honour to the right hon. gentleman's first visit to his constituents at Ormskirk. The following gentlemen were also on the platform:—Sir Thos. B. Birch, Bart.; Hon. Lyulph Stanley; Messrs. T. Weld-Blundell, J.P., W. H. Gladstone, M.P., T. Paget, M.P., Robertson Gladstone, J.P., William Rathbone, Jun., T. D. Hornby, J.P., W. Durnings Holt, J.P., Thos. Kirkpatrick, J.P., Peter Rylands, J.P., Holbrook Gaskell, J.P., Henry Deacon, J.P., James H. Macrae, J.P., J. R. Jeffery, J.P., George Melly, J.P., Arthur Sinclair, Henry A. Bright, J.P., Richard Johnson, J.P., William Welsby, Alex. Eccles, A. Billson, Alex. M. Glassford, Joseph Lyon, Robert Trimble, W. G. Tilsley, C. Hill, Richard Owen, W. H. Garside, George Cross, John Bromley, Richard Berry, T. Gardiner, T. S. Tyrer, James Irvine; Lieutenant-Colonel M'Corquodale, Captain Sudbury; Revs. John Lomax, John Lloyd Pain, C. Beard, Hugh Stowell Brown, and Dr. Macleod.

The CHAIRMAN, who rose amidst general cheering, said,—Ladies, gentlemen, and, I may now add, brother farmers,—In accepting the office of chairman this day, I feel that an apology is due from me, not only to the gentlemen surrounding me on the platform, but to you, my friends and neighbours, who form this crowded assembly,—to you, gentlemen, because I see amongst you many whose ability and social position far better qualify you for such a trust—(no, no),—and to you, my friends, because I deprive you of that ability in your chairman which you have a right to expect on such an occasion. To those of you to whom I am known, I am sure I need not say that I am not in this prominent position from any wish of my own; but, to those of you who do not know me, I will simply say that I accepted the trust only at the urgent request of the committee who have arranged this meeting, and with the sole object of relieving another gentleman who will be called upon, at a later period of the day, to fill the same office in the neighbouring town of Southport. I much regret that many of our warm friends are unavoidably prevented coming amongst us to day; but, from several of these, I have letters regretting their absence, but wishing every possible success and support to our esteemed friend and the glorious cause which he at all times so ably advocates. (Hear, hear, and applause.) They wish me also to express to you, sir, (Mr. Gladstone) what I know all your friends in this neighbourhood heartily join in, a deep expression of sympathy for all the annoyance and trouble you had

to encounter during the Reform debates—(hear, hear)—in the late session of Parliament, whilst striving to obtain for us a sound, as well as prudent Reform Bill, amidst an unprecedented hostility of your political opponents—(hear, hear);—and, I am sorry to add, the coldness, or lukewarmness of some of your professed friends. I believe, sir, that your conduct on that occasion will ultimately endear you more than ever to your country, because I am sure the old English feeling of integrity must prevail, and that "PRINCIPLE, NOT PLACE" will be the rallying cry which shall once again restore you to that position for which your abilities so eminently qualify you. (Hear, hear.) To you, ladies and gentlemen, who have come forward to-day to welcome Mr. Gladstone in this good old Lancashire fashion, I give my best thanks; and can only regret that this room—the largest we could obtain in the town—is so limited in size that many are excluded the privilege of hearing our esteemed friend. We have, however, done the best we could under the circumstances,—we have striven to oblige all. The tickets of admission have been distributed with no party feeling; on the contrary, the committee have used all care to have them as equally divided between both parties, hitherto composing this polling district, as possible. We must, therefore, trust to the kindness of those who are present to convey to those who are not so fortunate any information or pleasure they may derive from being here to-day. (Hear, hear.) Ladies and gentlemen, I now come to that part of my duty, as your chairman, for which, I must confess, I feel great delicacy in attempting to undertake. It appears to me the position I am placed in is unusual and peculiar. I have not to introduce to you a candidate for your political suffrage. I have not to introduce to you some unknown gentleman from a distance, for whom it would seem natural an introduction should be required; but I am in the singular position of introducing to you your very own representative for this division of the county,—a gentleman who, for the past two years, has been your representative in Parliament, but who will not have been known to many of you personally till to-day. But he became your representative in consequence of your faith in one whom not having seen, you yet entrusted with your confidence and returned to Parliament—unseen and unheard—against one of the strongest combinations of your political opponents ever united together in this division. (Hear, hear, and applause.) Ladies and gentlemen, I will not delay you further, but at once introduce you to your esteemed representative, the Right Hon. William Ewart Gladstone, only further adding that, from my heart, I believe him to be "the right man in the right place,"—a thoroughly honest politician, and worthy, in every way, to continue your representative in the Commons' House of Parliament. (Hear, hear, and applause.)

MR. GLADSTONE, on rising, was received with great enthusiasm. He said,—Mr. Musgrove and gentlemen,—The first, though not the only duty that I have to discharge among you is that of paying, so far as acknowledgment can pay, a debt which is now of old standing. It can hardly have passed from your minds, and it has not passed, and never can pass from my own, that I was returned to Parliament for the district of the county in which I was born, and where my childhood was passed, under circumstances by no means usual. It had been my fate at an earlier

period of my parliamentary life to lose the seat for the borough of Newark, which I had long enjoyed, on account of the share I took in sustaining Sir R. Peel in the adoption of a great change in the commercial policy of the country—a change much contested at the time, but now acknowledged on all hands to have been dictated by the truest wisdom. (Hear, hear, and cheers.) On that occasion I found a refuge open to me, after an interval, in the University of Oxford, and for 18 years, and in the course of four or five severe contests, was so happy as to hold my ground through the indulgent confidence of that learned body. But at last came the general election of 1865. At that period the cup of my offences was full and running over—(laughter)—and I believe that, so far as I have been able to learn or judge, the final delinquency which put my case beyond all patience, and beyond all bearing, was that I had made a declaration in debate, in the House of Commons, on the subject of Parliamentary reform—(hear, hear)—to the effect that if we were opposed to the extension of the suffrage by our fellow-countrymen, it became us to show good cause why our fellow-countrymen should not be admitted to that privilege. (Cheers.) Those words were spoken perhaps some four or five years ago, and great was the horror that was produced by that revolutionary declaration. (Laughter.) It was impossible to find words to paint the violent and dangerous character of my opinions without going back to the agitated and excited period of the French Revolution; and I was told across the House of Commons, by the gentleman who has lately been the hero of reform—(laughter and cheers)—that I had revived the doctrine of Tom Paine; and having succeeded in fastening upon me a relationship to that now almost forgotten hero of his day, it is no wonder that he fairly frightened the University of Oxford out of returning me to Parliament. (Laughter.) The university then found in my place what is called a "safe" man—(laughter)—the Right Hon. Gathorne Hardy, a gentleman that might be depended upon to stand for that £10 suffrage which, in the year 1832, had itself been in the mouths of these gentlemen held to be the badge of revolution, but which, in 1865, had come to be the basis of the Constitution and the salvation of the country. (Cheers.) Well, gentlemen, I will not minutely pursue the political history, nor will I inquire what view the University of Oxford now takes of the expectations under which it acted on that remarkable occasion.* But, gentlemen, my loss of that much-prized and valued honour—the representation of the university—at any rate did this: it enabled me to submit my name and character to you as a candidate for the representation of this great and distinguished county—(cheers),—it enabled you, in a manner dictated only by your generous confidence, and certainly warranted by no deserts of mine, to return me to Parliament upon forty-eight hours' notice—(loud cheers)—as member for the most populous district and for the most extended county constituency in England. (Cheers.) Allow me to offer you, gentlemen, the expression of my cordial and most respectful thanks; and I would not ask you to measure the expression of those thanks with reference merely to the words I have used. I think that you will feel with me that the best mode of tendering thanks, in any

* I have struck out of the report of this sentence an expression which I used inadvertently, and which I regret, as it was not consistent with the tone of respect and affection in which I must always speak of the University of Oxford.—*Note by Mr. W. E. Gladstone*

case where special confidence has been shown and an important trust conferred in a remarkable manner, is not by the use of inflated language, but it is to testify by the evidence of facts that that confidence has not been abused, and that the trust so conferred, to the best, at any rate, of a man's power, has been fulfilled. (Hear, hear.) I must ask you, therefore, gentlemen, to consider the manner in which I have endeavoured to discharge the duties of the stewardship you have placed in my hands; and in my opinion these references to the past, which I shall endeavour to divest, as far as possible, of any character that could be offensive to any one—these references to the past do, in point of fact, form the truest and the safest test of the conduct that you ought to pursue for the future in the exercise of the electoral powers that are placed in your hands.

Ladies and gentlemen, after the election of 1865, it was made clearly evident that the confidence of the country was given in a preponderating degree to what is called the Liberal party. A very powerful, and I am bound to say, in many respects, a most respectable minority represented a different principle, but a majority of sixty or seventy members, in the number of 658 forming the House of Commons, professed adhesion to what is called the Liberal creed in politics. Under these circumstances it was absolutely necessary that the government, whether it continued under the guidance of Lord Palmerston, or whether, as ultimately happened upon the event of his lamented death, another distinguished statesman should accede to the office of prime minister—it was absolutely necessary that that government should consider its position with reference to the long-contested question of Parliamentary reform. We accordingly proceeded to consider that position, and we endeavoured to take into view what was known to be the state of opinion and feeling in the country with regard to it, for, in the consideration of every great question in a country like this, which is free both in theory and practice, you will agree with me that no body of men would be worthy of the name of statesmen if they proceeded to frame and submit measures to Parliament grounded merely on their own individual ideas, and without taking into view opinions existing, and the social and political forces that act upon the body of the community. (Hear, hear.) In the autumn of 1865, and the beginning of 1866, we had three main facts to take into view—I mean to say three main facts after adopting the conviction, in which we were unanimous, that considering the result of the election it was our absolute duty to consider the question of reviving in Parliament the proposal to widen the basis of our electoral system, and in that way to strengthen the institutions of the country. (Hear, hear.) The three facts were these:—In the first place there was the attitude of the people, and I mean by the people that great mass of the community who were at that time generally excluded from electoral power. That attitude was one of calm and tranquil expectation, combined, undoubtedly, with earnest desire, but such was the confidence placed by the people in the deliberations of Parliament that not only all noisy and turbulent, but even all energetic manifestations of that desire of the people for political privilege had been generally withheld; and we therefore had to take into account this difficulty, that when we came to make to Parliament a proposal for Parliamentary reform the reproach would be cast in our teeth that it was a subject of indifference to those on whom we proposed to confer the benefit and the

privilege of the franchise. Next to that we had to bear in mind a fact, the existence of which it was impossible to doubt, namely, that the great middle class of the country—I do not speak now so much of the county constituencies as of the constituencies in the towns—the great middle class of the country, admitted to the exercise of a predominating power in the town elections by the Act of 1832 were considerably divided in opinion with respect to a further Parliamentary reform. Many no doubt were, as I think in consistency they were bound to be, friendly to the extension to their humbler fellow-citizens of the benefit they had themselves enjoyed. But there was also no inconsiderable portion of that middle class who were either opposed, or, if not opposed, yet indifferent and lukewarm with respect to the extension of the franchise. We could not, therefore, at that period count upon the earnest and ardent support from that quarter which in the promotion of many other Liberal measures we could confidently anticipate. Both those circumstances were reasons for great moderation on our part; but there was a third, and it was more important than either of the other two. We knew that there was a powerful minority of 270 or 280 gentlemen in Parliament who were banded together as one man to resist the extension of the suffrage—I mean, to resist a popular extension of the suffrage, for I do not enter into questions about the creation of votes in respect of income-tax and twenty other kinds of secondary franchises—but we knew, or had reason to believe we knew, that in our attempt to admit to the suffrage any sensible portion of the labouring classes of the country in addition to the few already possessing it, we should have to face

to reform, I acknowledge that it was a manly, a straightforward, and an open course so far as we have any cognisance of it within the walls of Parliament. (Hear, hear.) But Mr. Lowe has given us the story of that combination. He has told it in the face of the British House of Commons; and he has told it without contradiction. He made known to us in the month of July last that the section with which he acted in 1866 entered into communication with the leaders of the Opposition. (Hear, hear.) The object of the section was not to overthrow the Government; it was simply to prevent the lowering—or, as they considered it, the degradation—of the suffrage. The party then in opposition and now in the Government gave to Mr. Lowe and his friends, according, as I have said, to his uncontradicted declaration, the most solemn assurance that in the event of the defeat of our bill and of our ejection from office and of their accession to it, they would be no parties to this lowering or degradation of the borough suffrage. (Cheers.) That was the point which Mr. Lowe had in view. Mr. Lowe was politically allied with us. He did not wish to place his influence, and the gentlemen who felt with him on reform did not wish to place their power or their votes, at the service of the Opposition for merely a party purpose. On the other hand, such was their objection to reform—most erroneous and deplorable I think—(cheers)—that having obtained, as they conceived, from the chiefs of the Conservative Opposition, an unequivocal and binding engagement, that in the event of their accession to office the suffrage should not be lowered, they entered frankly into the warfare of the campaign of 1866, and raised the numbers of the minority to such an extent that they could offer to us a resistance which we were unable to overcome. Well, gentlemen, the result was that we retired from office. We did not withdraw from office because the House of Commons drove us out of it. At the moment we retired we knew perfectly well that the decided majority of the House of Commons, including nearly all the Liberal members, who had been opposed to us on reform, were desirous that we should continue in power, and were prepared to carry a motion, the very terms of which had been made ready, expressive of their confidence in the Government that then ruled the councils of the State. (Hear, hear.) Aware of these facts, gentlemen, we came unhesitatingly to the conclusion that the question lay between our existence as an administration on the one side, and the triumph of reform on the other. We were not desirous to retire. We were not insensible to the honour and the distinction of being intrusted with the guidance of the policy that is to govern a country and an empire such as this. But we believed the interest of the public in the settlement of the question of reform to be a vital interest. We saw that if we continued in office we should still be exposed to the same description of opposition as had up to that time barred our way. We knew perfectly well that if, on the other hand, we retired from office the triumph of reform was absolutely certain. (Great cheering.). Gentlemen, there is an old saying, almost a sacred saying, that the blood of the martyrs is the seed of the church. (Hear, hear.) That which is true in religion is likewise true with respect to other principles of power in this world and of value for mankind. (Hear, hear.) It is sound with reference to political truth as well as with reference to religious truth. We were firmly convinced that the blood of an administration would be the seed of the success of Parlia-

mentary reform. (Cheers.) And therefore we cheerfully laid down the ensigns of power, we associated ourselves with that cause: and thankful am I to say that we have had that which perhaps may be called the highest triumph of a party, namely, to see our opponents themselves compelled to be the organs of giving effect to their principles and fulfilling their main wishes.

Well, then, gentlemen, we met again in the year 1867, and I will endeavour to deal very briefly with the proceedings of that session. But I must frankly say, in giving an account of my stewardship, without claiming any such credit as your chairman was pleased to award either to myself or to those with whom I have had the honour of acting—yet I am bound to say that I know nothing to lament and nothing to repent of in our proceedings of the year 1867. Now, in the proceedings of the year 1867 there are two things to which I will call your attention, that are totally and absolutely different from one another. One is the Reform Bill of 1867. And what do you think is the other? The Reform Act of 1867. (Laughter and cheers.) If you had those two documents —the Bill and the Act of 1867—printed in parallel columns, you would be able for yourselves to test the truth and accuracy of my assertions. As to the Bill of 1867, I said in Parliament—I was thought to say it in heat, but I said it deliberately, and I repeat it now—was the worst bill ever presented, the worst plan as a whole ever submitted to Parliament for dealing with that great and important subject. Perhaps that may seem an extravagant assertion. Well, then, gentlemen, I will not go through the clauses of that Bill, but I will tell you this, and I do not think that what I say can be contradicted from any quarter. It will be admitted that the main object of the Bill was to open the suffrage to the labouring classes. Now, I will only illustrate the bearings of the Bill on this subject in two points. According to the best estimate that can be formed, it would have admitted from 100,000 to 120,000 out of the four millions of the labouring population of England to the enjoyment of the suffrage. But along with that extension of the power of the labouring classes, what compensation, forsooth, or remedy, was provided against their supposed possible misuse of that power? There were contrivances, partly in the nature of suffrages to be issued to persons in virtue of taxes, and partly in other various forms, but which may be summed up in one phrase which became sufficiently notorious—the proposal of what was called the dual vote. (Hear, hear.) Now, the effect of that was this, that this bill for extending popular privilege, while it gave 100,000 or 120,000 votes in the boroughs and towns of England, where enormous masses of the population are excluded from political power, would, by that dual vote, have given near 300,000 new votes to the very same classes of the people who were already possessed of the suffrage—that is to say, instead of extending or increasing, it would have immensely diminished the power of the labouring classes to whom it was the professed object of the measure to give an increased share of political power. (Applause.) Well, gentlemen, I stand upon that proposition—if necessary, upon that proposition alone—and I say that that Bill was a bill which would justify words of censure a great deal stronger than it is at all necessary for me to apply to it upon this occasion; but, at any rate, which amply justified those who declined to give approbation to that Bill, whether it called itself a household suffrage bill, or whatever else it might be called.

Besides the extraordinary fact I have named, there were a set of provisions, in my opinion, most offensive, and, perhaps, the most invidious that were ever embodied in a bill for Parliament, with reference to those who were called the compound householders, and who form two-thirds of the whole labouring population of the boroughs. Those provisions would not only have compelled them to go through burdensome formalities, but likewise to pay a money fine before they came to the exercise of the suffrage. (Hear, hear.) Well, gentlemen, I will not detain you about the two years' residence—about the absence of a lodger franchise, about the paper-voting, and a multitude of other clauses, for, thank heaven, they are all dead and buried, and the fine upon the compound householder is likewise gone, although it has been replaced by arrangements much better indeed than those first proposed, but still, I am afraid, very bad on the whole. Upon the whole, I must say that the Bill was not amended: it was metamorphosed. (Laughter and cheers.) It was transformed into a great act on behalf of liberty. It assumed a character so different from that with which it was introduced into Parliament that one of the most distinguished men who supported the Government, indeed, one of the most highly and deservedly respected persons to be found in the whole length and breadth of the land—I mean the Duke of Buccleuch—is reported to have stated in his speech on the subject of the Act, that there was nothing left in it of the original Bill except the single word "whereas" at the commencement. (Laughter.) That, no doubt, was a poetical method of speech; but poetry is often the vehicle of truth, and I believe in the main it conveyed substantial truth upon that occasion. Well, gentlemen, I now congratulate you upon the possession of that Act. I will by-and-by refer to what seemed to me to be its defects; but it is, no doubt, an enormous advance in the political growth of England. (Hear, hear.) Many of the circumstances attending it have been painful. I at least cannot be expected to feel a great admiration, nor do I pretend to feel any admiration whatever, for the manner in which it has been carried. (Hear, hear.) But I must look at the Act in itself; I must look at what it does for the people of England; I must look at what it promises, too, for them. If we are compelled to look at its faults, we must likewise ask ourselves whether it involves principles or confessed admissions, which are sure to lead to the amendment of those faults. Keeping this in view, I think we should regard the Act as one effecting a great progress in the march of British liberty. (Cheers.) It has been said, forsooth, that the Liberal party, the great bulk of the Liberal party, offered opposition to that Act. Gentlemen, it is not so. What happened was this. When the Bill was introduced, and when that Bill, professing to give household suffrage, withdrew on the one hand what it had given on the other, and subjected to such impediments and embarrassments, nay, to such actual penalty, the attainment of that suffrage in the great majority of cases, we apprehended that this measure was going to be made the instrument, really, I may say, of political terrorism to such persons of the classes below £10 householders as might desire to be voters in England. What we said was this—"Away with all these conflicting contrivances; don't let us ask whether the rate upon a man's house is paid by himself, or whether it is paid under the Small Tenements Act or under the Compound Householding Acts by his landlord; it is quite enough for you and the

my freedom to take any course at a suitable time, and while I cannot pass by the subject of reform without naming these opinions, I do not wish so to name them as to weaken the force of those congratulations which I offered to you at an earlier period of my remarks upon the passing of a bill which constitutes so great an epoch in the history and progress of British legislation. One of the great charges made against the Government of Earl Russell was that we did not propose to deal with all parts of the queston of reform at once. But it was found impossible to deal with the whole of them; the only question dealt with in the measure of last Session in a way to do any effectual good was not the whole, but a part of the question of the franchise. It has been settled for England, but remains unsettled for Scotland and Ireland; and, as to redistribution, although some good has been done, I can put no great value upon it, for nothing can be clearer than that in such a case if you touch the question you ought to have done so in such a way as to settle it. (Cheers.) We have a great deal to do with the question of reform in Scotland and in Ireland, and on another subject in which the Liberal party is very much interested. There is now sitting what is called the Boundary Commission, and there is a great disposition among the ranks of the supporters of the Government in Parliament to contend that all persons, as far as possible, employed in the trade and industry of towns shall vote only in towns; and that the county representation shall be exclusively of persons having directly or indirectly the agricultural character. That is a principle totally novel, and absolutely unknown to the British Constitution. The old principle of Parliamentary representation looked for communities wherever it could find them. Where they were gathered or organised as counties, there was a community, and they called upon the inhabitants of counties to be represented according to their tenure in the property of the county. (Hear, hear.) Where there was a community gathered in a borough they called upon those who belonged to the borough to send representatives to Parliament, and to share in bearing the burdens of the country; but as to the idea that something is to be made by the arbitrary will of Parliament, which is neither town nor county, but which is to consist of men engaged in trade and industry—men associated together not for the ordinary purposes and common life of a borough, but simply for the purpose of voting for members of Parliament in the fictitious character of towns, to that I entirely object. I may seriously object to it because it will weaken all Liberal influence in the county elections. (Cheers.) But I object to it more unequivocally upon broader principles. There are a great number of rural places at present forming part of the borough representation; but, strange to say, it is not proposed to exclude these villages and farming districts from the towns. For one, I contend that this plan of striking out of the counties all places, as far as they can be got at, where trade and industry are pursued is false in principle, mischievous in practice, and will tend to lower greatly the vigour and energy of county representation. (Cheers.) It is said sometimes that counties are under-represented, and I think they are. I am for giving more representatives for counties; but I will not do what was done in the case of the minority vote; I will not go to find more members for counties by taking them from the great towns. (Cheers.) Let us seek them where they ought to be sought—namely, by considering what com

munities now enjoy a share in the representation greater than they are fairly entitled to by their social importance. It appears to me that with respect to the question of boundaries, the true principle is this—that we should adhere to the old rule of the Constitution. If the towns have grown, by all means let the boundaries of them be extended; but let them still be towns, and let those who are taken into the towns for the purpose of Parliamentary voting be taken into the towns also for all other purposes. (Cheers.) I cannot but add one word in respect of a town that has been sorely aggrieved—I mean the town of St. Helens. (Cheers.) Now, there is a perfectly legitimate manner of taking trade and industry out of the county. Whenever you find that there is a trade and industry so concentrated, and of such extent as measured by population and property, as to be entitled to representation—(cheers)—form it into a town if you will. That was proposed to be done for St. Helens; and I must say that a grievous wrong has been inflicted upon St. Helens in depriving that important community of the privilege of returning a member to Parliament, which they had been promised in the Bill as originally settled by the House of Commons.

With respect to the Scotch Reform Bill, I will only mention two matters, which are not devoid of importance. I am sorry to see from ministerial declarations, recently made, that a proposal is likely to be tendered to us to increase the number of members of the House of Commons. The number of the House of Commons is not too small, but is already rather too large for the purposes of a deliberative assembly. I do not say the number can be reduced, but I think it ought not without an obvious necessity to be increased. The importance of Scotland, like the importance of Lancashire and Yorkshire and London, deserves a larger share of representation. Of course, I cannot tell what the circumstances may be under which the question will be re-opened as to these three great masses of population; but, I think, as the case of Scotland is about to come before us on the proposal of the Government, I must record my opinion that it will be our duty to find, and find from unobjectionable sources, an increase of members for Scotland to meet with some fair and moderate allowance the increased weight which Scotland enjoys as one of the three kingdoms. (Hear, hear.)

Conviction, gentlemen, has placed me, in spite of early associations and long cherished prepossessions—strong conviction, and an overpowering sense of the public interest operating for many, many years before full effect was given to it—has placed me in the ranks of the Liberal party—(cheers)—and I cannot otherwise than entertain the hope that the same feeling which has placed me there, and the reasons which have changed my mind, may be found to have some weight in other minds. (Cheers.) When we come to a general Parliamentary election I venture again to say I hope the electors will look quite as much, or rather more, to the past conduct of men than to the pledges they may give. (Cheers.) Surveying the history of this country within the time of our recollection, and if I were to go further back I should but strengthen the case—taking the history of the country within the period of our own experience, I am bound to say, as far as I can read that history, that it is to the agency of the Liberal party, generally speaking, that the most valuable measures have been owing. (Cheers.) Now, I do not think it is desirable to come here to rail personally at

antagonists, and I have endeavoured to avoid, as far as I could, falling into that error. I am not going to rail now, but I am about to refer—(laughter)—and, in a speech at Edinburgh, as I read it reported in the newspapers, Mr. Disraeli, the distinguished gentleman who holds the post of Chancellor of the Exchequer, is reported to have said that in his recollection, or I believe during his Parliamentary career, there were thirty-two measures of vital importance and benefit, and in fact, as I understood, the thirty-two measures, which have done so much good in the country within these last years—that they had all of them been supported by the party with which he was associated, and had been strongly—I think I even read the word bitterly—opposed by the other quarters of the House. Gentlemen, I read that declaration with the utmost pain. To me it was beyond anything painful to find that there were these thirty-two measures none of which I had had the pleasure of supporting, because when I reviewed in my mind the measures I had supported and the measures I had opposed, I found that, almost without exception, those measures which Mr. Disraeli had opposed I had supported, and those which he had supported I had opposed. (Laughter and Cheers.) I therefore found myself in this painful predicament—of being totally excluded, after a great number of years of hard labour, from having had anything to do with any of the good laws that have distinguished our recent history and given satisfaction to the people and strength to the institutions of the country. (Cheers.) But now, gentlemen, there was no list given of those thirty-two measures—(laughter)—and I cannot tell you to what a degree my curiosity was excited with regard to that list. During the late session of Parliament very trying circumstances of a domestic character prevented us from asking for any explanations on these matters, and likewise upon other matters relative to that curious process of what is called education—but it differs from education in the ordinary sense—of what is called education on the question of Reform, to which it appears the Conservative party have, without knowing it, been subjected for the last seven years. Now of that process I will only say one word in passing, and it is this—that in general when people are put into education your first object is to open their eyes; but, in this kind of education, it appears that it is essential that whilst the thing is going on they should know nothing whatever about it—(laughter)—and should suppose, down to the last moment, the direct opposite; but, when the happy moment comes, then they no longer are treated like people going to play blindman's buff—the handkerchief is taken away from their foreheads, and they are told—and they discover to their intense satisfaction—that they have been undergoing, without knowing it, a process of education for the last seven years. (Laughter and cheers.) Well, gentlemen, among the advances—I am tempted to say this much—among the advances in the art of physic of late years there has been one very great one—I do not know whether you experience the benefit of it with the country practitioners as much as we do in London—and that is the art of making physic agreeable, so that, in the great majority of cases, you take it without knowing it by an evil taste; and it appears to me that this system of medicine has been adopted by the Conservative party of the country, and that the Conservative party has been dosed with principles of Parliamentary Reform whilst it believed that it was walking in the opposite direction. (Laughter.) It now discovers that

it has been about, and some perfectly well pleased; and if they are pleased, gentlemen, I know not why we should not be pleased—(cheers)—because the result has been the attainment of an enormous benefit and advantage to the country. (Cheers.) Still I come back to my point, and I should like to know if there is any one that can tell me what were these thirty-two measures. I declare to you I should be put very hard to it if I were compelled to mention one of them—that is to say, the great measures of benefit for the people which were strenuously supported by the friends of the opposite party, and which were bitterly opposed from another quarter—that is, of course, from the Liberal portion of the House. I do not know what they were; but, gentlemen, I do know what they were not. They were not the repeal of the Roman Catholic disabilities, which formed in part the fulfilment, and in part the promise of the fulfilment, of the duties of this country towards Ireland—(cheers)—and of our obligations of liberty towards all our fellow-subjects, whether Roman Catholic or not. (Cheers.) They were not the repeal of the disabilities of Protestant dissenters; they were not the repeal of the corn laws; they were not the reform of Parliament; they were not the introduction of the principles of fair representative government into the municipal communities of the country; they were not the repeal of the navigation laws, which was to ruin all our shipping, just as the repeal of the corn laws was to have ruined our agriculture, but which resulted in an enormous extension of our shipping, just as the repeal of the corn laws resulted in an immense increase in the value of our farm produce. They were not the treaty with France, which has opened and extended the commerce of the country; and, in extending the commerce of the country, has done so much by joining the two nations with the right hand of fellowship never again I trust to be severed. They were not that reform of the whole tariff of the country which has given you, without almost any exception, the absolute command of all the raw material of labour and industry that the world can yield without the payment of a single shilling to the exchequer. They were not the establishment of that free press which now circulates almost by millions, if not by billions, throughout the whole of this great country, and penetrates into every nook and corner and cranny of the land. Well, gentlemen, I really thought in my blindness and benighted ignorance that those were the measures, or at all events that they were the contested measures—because some measures, nay, I am thankful to say, many good and valuable measures have passed the Legislature without party contest—I thought it was the contests upon these measures which had given a special character to the Parliamentary history of the age. Gentlemen, I still think so. (Cheers.) And I ask you if you think the spirit which formed, and conceived, and dictated these and many other such measures ought to continue to prevail in the councils of this country? (Cheers.)

Let me refer in one word to a subject of the greatest importance, which time absolutely prevents me from developing. We must, without any doubt, have a reform bill for Ireland. I must give the Government this credit, that the franchise which they proposed for Scotland was conceived in a liberal spirit. The franchise to be proposed for Ireland will, I hope, be conceived in a liberal spirit also. I refer to it only for the sake of saying that which I hold not merely as an isolated pro-

position, but as a principle to be applied to the whole policy of the country. (Hear, hear.) If this is indeed to be a united kingdom we must endeavour to give one heart and one mind to the people of all its three divisions: and that one heart and one mind never can be given to them unless they are treated in all matters of legislation with perfect equality and impartiality. (Cheers.) But, gentlemen, I have referred to the past, and to the spirit in which past policy has been conceived. Possibly I may be told that the repeal of the corn laws was carried by Sir Robert Peel, and that Sir Robert Peel was a Conservative minister. It is true that Sir Robert Peel was a Conservative minister. It is true that he carried the repeal of the corn laws, but it is also true that because he carried the repeal of the corn laws he was no longer allowed to continue in a Conservative ministry. (Applause.) Gentlemen, the case is before you. The performances as well as the professions of individuals and parties will in due time be submitted to you. Twelve months may scarce elapse before you exercise your electoral privileges. The future of this country is fraught with questions of the deepest interest. The ultimate responsibility of the decision will not rest with this man or that man who may happen to be Minister or may happen to sit in Parliament. It will rest with those who choose the legislators; it will rest with you, the electors of England. All that we can do is to bring before you to the best of our ability the facts and the rights of the case; to open out and discuss in the free atmosphere of this free country all questions and topics of public interest, and leave the issue in your hands, to accept with content your decision whatever it may be; but to rest in our own minds on the conviction that to the best of our ability we have struggled and done battle for the right. (Protracted cheering, amid which the right hon. gentleman resumed his seat.)

Mr. Weld-Blundell moved a vote of confidence in Mr. Gladstone as member of Parliament for South Lancashire. He said,—Mr. Musgrove and gentlemen,—I am sure you will feel with me that this is a great day for Ormskirk. (Hear, hear.) After what we have heard and witnessed to-day we shall no longer be surprised at the great effect always produced by Mr. Gladstone in Parliament. Having heard your cheers and noticed your thoughtful countenances, I have seen how well every point advanced by Mr. Gladstone has told, and how you have sympathised with every word; and I can see in every honest heart there is this feeling respecting Mr. Gladstone, "That's the man for me." (Hear, hear, and applause.) Having made these few remarks, there are two reasons why I will not inflict upon you a longer address—one is, the time is very limited, as we have to proceed to Southport by a train; and the other is, if I were to say more, it would be like pouring water into milk—not that you ever do that in Ormskirk—it would weaken the power and effect of Mr. Gladstone's eloquence.

Mr. Welsby seconded the motion, which was carried by acclamation.

Mr. Gladstone briefly responded. He hoped in what remained of his political life to show that his thanks were not merely verbal, but that they might be found to correspond with the actions which he might be called upon to perform. (Hear, hear, and applause.)

Mr. W. H. Gladstone, M.P., moved a vote of thanks to the Chairman, which was seconded by Mr. W. Rathbone, Jun., and carried amidst great applause.

The Chairman having acknowledged the vote of thanks accorded to him, Mr. Gladstone left the hall amidst great cheering, and immediately afterwards proceeded by train to Southport.

MEETING AT SOUTHPORT.

In the evening Mr. Gladstone visited his constituents at Southport, and addressed a large meeting of the electors in the Music Hall, Portland-street. At an early hour the spacious hall began to fill, and long before the time appointed for holding the meeting it was crowded by a large assemblage of ladies and gentlemen. The hall was gaily decked with banners and evergreens, and brilliantly lighted with crown and star banners. When Mr. Gladstone entered the hall, he was received with hearty cheering, which was repeated again and again.—Accompanying the right hon. gentleman were the Hon. Lyulph Stanley, Messrs. T. Weld-Blundell, T. Paget, M.P., W. H. Gladstone, M.P., Holbrook Gaskell, J.P., J. R. Jeffery, J.P., George Melly, J.P., T. D. Hornby, J.P., Arthur Sinclair, Robert Trimble, George Heginbottom, J.P., R. Wild, J.P., J. Glover, J.P., Edgar Musgrove, J.P., L. Heywood, W. Welsby, R. Craven, J. Barrett, J. C. Pigot, Joseph Spencer, J. Woodcock, and John Wrigley; Rev. J. Chatter; Aldermen Boothroyd and Stephenson, &c., &c.

On the motion of Holbrook Gaskell, Esq., the chair was taken by T. Weld-Blundell, Esq.

The Chairman said,—Ladies and gentlemen,—It is with extreme diffidence that I take the chair, as I know there are about me many gentlemen, who, you know, are far more capable than I am of doing justice to the position in which you have kindly placed me. I assure you I have yielded to the wishes of the committee more through what I may call blind obedience, than because I fully concurred in the wisdom of their decision. With your assistance, I have no doubt my task will be easy. It is no obscure individual that I am seeking your permission to introduce to you. (Hear, hear.) Mr. Gladstone—(cheers)—has won for himself a world-wide celebrity. He has for some time been your representative, and with his usual urbanity and kindness he has come before you to-day to make your acqaintance and to give you an account of his trust. (Cheers.) Gentlemen, if I were to dilate upon his merits, I am afraid I should not either do justice to him, or to the warmth of your feelings. I shall therefore content myself with remarking that he has an especial claim on your sympathy and regard, inasmuch as his birthplace and early home were almost within sight of this town. (Cheers.) Gentlemen, there, under his father's roof, he was taught to

comprehend the dignity and importance of commerce; there he learned to appreciate the industry and persevering energy of Lancashire men; there he listened to the political wisdom of Canning and Huskisson; there the principles of civil and religious liberty—(cheers)—of free trade, and of reform, struck deep root in his young mind and in his young intelligence. Gentlemen, he has come back amongst us with his opinions and principles enlarged by age and experience, and I feel sure that before the close of this evening you will think right to extend to him that confidence which his character, his talents, and his career have merited. (Loud applause.) Gentlemen, in introducing Mr. Gladstone to you, I have also another duty to perform, and that is to offer, on your part and mine, our grateful acknowledgments for his ready courtesy in coming here to address you. (Cheers.) I have also to assure him that he will find you ready listeners, and that you will treat him with that sympathy and good feeling which are due to him as your countryman and your representative. (Cheers.)

Mr. Gladstone said—Mr. Weld-Blundell and gentlemen,—I owe you my warmest acknowledgments for the reception which you have been pleased to give to me, commended to your notice, as I have been, by the too kind language of our respected friend your chairman upon this occasion; but I likewise have to thank you for a previous favour—for that support which, as electors of South Lancashire, you accorded me when two years and a half ago I became your representative in Parliament. (Applause.) And, gentlemen, if it be true, according to the old proverb, as I believe it is, that "a friend in need is a friend indeed"—(laughter and applause)—I must own that I owe you a great deal of gratitude with reference to that occasion. You found me a stranded man—(laughter, and cries of "No, no,")—at a moment when the proceedings of the election were far advanced; but the brief term of two days or three placed me in the position of being a representative of one at least amongst the most powerful, the most intelligent, and the most distinguished constituencies in England. (Loud cheers.) For that, gentlemen, as well as for your kindness to night, I wish to place upon record the expression of my gratitude. But meeting you as a person whom you have invested with political trust, I likewise desire to take advantage of the occasion to touch upon matters of public interest. (Hear, hear.) I hope you have no reason to repent or to regret the part you took in 1865. (Hear.) I even venture to hope that you may be inclined to repeat the proceeding upon a future occasion. (Loud cheers.) With reference to my own political position as your member, with reference to the position of the powerful and intelligent party with which I have the honour to be associated in Parliament, and with reference to yet higher and graver public interests, I will venture to comment before you on the condition of public affairs. Now, gentlemen, although I have often had hard words bestowed upon me as a man who has rushed into the extreme of political opinions, I must say, bearing for myself a testimony as faithful and as strict as I can make it, that I do not love extremes. I wish that, on every public occasion, we should meet the occasion as it arises; that we should endeavour to base public policy upon principles of justice and moderation;—(hear, hear.)—that we never should be driven into violence by an unjust reproach of feebleness,

and, on the other hand, that we never should be deterred from taking the decided course that circumstances may demand and justify by an unmanly fear of being called extreme politicians. (Applause.) Gentlemen, I go back during a moment over the period of nearly forty years, to an epoch when after a long exile from power the Liberal party in this country entered upon the direction of the councils of the State under the auspices of Lord Grey. At that time they adopted for their motto words not less well-known than honourable; their motto was that of "Peace, Retrenchment, and Reform." (Applause.) And I think that if you look back over the whole course of events since the year 1830, and if you make fair allowance for the infirmity of human purposes and performances, upon the whole the historian, and posterity along with him, will record his impartial verdict, that the pledges given to that motto have been faithfully and honourably redeemed. (Applause.) But the words that were then used are just as important at the present moment as they were when they thus became the special and famous token of a political party. The object of peace, I trust, is as dear—ay, I will go further, and will say is even dearer—to us at this moment than it was then; for as I believe that much has since then been realised, both of political and social progress, and as I am convinced that no progress, political or social, is real and substantial unless it tend to discountenance the barbarous practices of quarrel among the nations and especially civilised nations of the earth, I am convinced that now peace is dearer to you even than it was then. (Hear, hear.) I address you, gentlemen, under the unfortunate circumstances in which, at present, we stand with regard to the Abyssinian war. As to the occasion of the expedition to Abyssinia we look upon it—and when I say we, I mean not only those in this hall assembled, but I believe the whole people of England without distinction of party—we must regard the occasion of that expedition with unmixed and unfeigned regret. (Cheers.) I lament the shedding of blood. I lament the excitement that necessarily accompanies any transition even upon a limited scale from a state of peace to a state of martial disturbance. I lament the addition to taxation that is and that may further be entailed upon you by this unhappy quarrel until it shall reach its termination. (Hear, hear.) But, at the same time, standing here as one who deliberately withholds his confidence from the executive government of the moment—(cheers)—I am bound to say that I cannot, I do not, attach any special blame to those now in power in connection with this unfortunate necessity. (Hear, hear.) If, gentlemen, there is a special lesson to be learnt from the difficulty in which we now find ourselves, I think it is this, that we should be more wary—(hear, hear)—and more shy—(hear, hear)—than we have hitherto been about establishing diplomatic relations—(applause)—with countries and sovereigns on whose civilisation reliance cannot be placed—(renewed applause)—to the degree that is necessary to give a reasonable assurance of the stability and safety of those relations. (Cheers.) And if you will allow me, gentlemen, to go one step further, I will yet a little more presume on your patience. (Applause.) Many of you belong to one of the very greatest, and certainly one of the most enterprising, commercial communities in the world, and it is the tendency of commerce—the happy and beneficent tendency of commerce—never to be content with its present conquests so long as there are new realms to be subdued. It

is therefore not a matter of discredit, but of praise, to those connected with the mercantile enterprise of the country when they seek to carry onwards the business of peaceful exchange into regions that have not hitherto known it. (Cheers.) I do not desire, and even if I were able I should not presume to check that honourable tendency. But this I do say, that even that tendency requires to be checked and watched when it assumes, as it does and must sometimes assume, the character of a disposition prematurely to force the Government of England, through that exercise possibly of active but partial influences, for which our Parliamentary system affords abundant scope, into the contraction of engagements of this kind, into the formation of relations of this kind that we have now before us—relations which, when they are once formed, we find it impossible either to sustain with safety or to recede from with honour. (Cheers.) And, therefore, without blaming any one, and certainly by no means blaming the Government of the day in respect to this most unhappy present necessity, I do trust the whole people of this country may be disposed to lay to heart the lesson it seems to teach us, and to act steadily upon the general conviction that it is not safe for the State of Great Britain, for the Crown of Great Britain, with all the dignity that attaches to it, and all the obligations that flow from its action, to enter upon the formation of responsible connections with countries which have not reached an adequate state of civilisation. (Cheers.) So much, gentlemen, for the subject of peace.

As regards retrenchment it is difficult to be very sanguine upon that subject until peace is restored. I may, however, say a word upon it by and bye. As respects reform it is not necessary for me to detain you with any detail. We have realised a great step in advance. It is an occasion upon the whole for great satisfaction. If there were those amongst us who, until a recent date, had doubted of the efficiency of an extended suffrage in giving strength to the operations of the national will, I must say, without being an indiscriminate admirer of American institutions, and certainly without the smallest tendency to quarrel with the lot which Providence has given to us, or to exchange it for the lot of our brethren across the water—this, I must say, that the experience of the American war, and the enormous power and perseverance developed by the people of the United States on both sides in that unparalleled conflict, show a remarkable and striking lesson of the strength and power of endurance derived from the breadth of the basis of political institutions. (Cheers.) I therefore congratulate you, gentlemen, upon the great progress that we have made; and I feel convinced that if there be defects, as I think there are very serious defects, in the measure that has this year become the law of the land, they are defects which, in due time, will be cured. Perhaps I ought to observe that there are a number of collateral subjects in connection with Parliamentary reform on which opinion has been more or less awake at times, and with regard to which there may be great variety of opinion. Some amongst us were extremely anxious for shortened Parliaments. Now, as far as popular control is concerned, I doubt very much whether the shortening of Parliaments is necessary in order to make that control efficacious; for I do not see that there is any country in the world—certainly if there be, that country is not the Republic of the United States—in which the mature and strong conviction of the people, or at least of the voting

part of the people, is more quickly or more effectually represented in the action of the representatives than it is in the United Kingdom under our present Parliamentary system. (Hear, hear.) Well, again, there is the question of secret voting. Now, with respect to secret voting, we are passing into a state of things that we have not yet experienced, in which it would be unwise too confidently to anticipate the results of an experience yet to come. Some of the arguments for the ballot are greatly weakened, some of them, on the other hand, are strengthened, by an extended suffrage. I am bound, however, to say,—whether it be or be not from the infirmity of old age or of its approach, or to what cause it may be due I do not know, but I own to an attachment to what I view as the old English principle, that as far as possible all public duties and functions shall be performed in the public eye. (Cheers.) It may be, it certainly might be, that if we were to find the gross evil of intimidation spreading in the country, we should be bound to seek a remedy; but let us hope that that will not be the case, and that the objects we have in view, namely, the founding our whole policy and legislation upon principles of popular liberty and justice, may yet be attained without the loss of those salutary influences which certainly, I think, attend the operation of publicity in all the institutions of this country. (Cheers.)

Now, gentlemen, I pass on from the subject of our representative system. I have now got beyond the motto of 1830, and I proceed to mention very briefly, in hardly more than a word, another matter, the matter of education, upon which there has been during the last 35 years—and I must say in the main as the product of the great Reform Act, to which it can be traced—there has been a great anxiety, a great activity, and a great progress. But still much, very much remains to be done, and the urgency of the necessity for doing it has been greatly increased. We must endeavour to put out of our way those religious difficulties which have hitherto been found to impede the effectual extension of the plans of education, and at the same time we must endeavour to do that without disrespect or disparagement to religion itself, or to religious convictions—an object which I for one believe to be perfectly attainable. (Hear, hear, and cheers.) I have stated that the original movement on behalf of education is traceable to that lively state of the public mind which accompanied and followed the first Reform Act. The second Reform Act, we must all feel, has brought upon us a new necessity, and I trust that new necessity will be met by new and greater exertions. (Hear, hear.) Measures have been introduced into Parliament, plans have been proposed under the sanction of great and respected names, the materials, in fact, of progress are all ready to our hands. I will not trouble you at this moment with the details, but I feel justified in expressing to you the sanguine hope that no time will be lost by those who have the honour to direct or share in the legislation of the country, in taking those measures which are undoubtedly necessary in order to raise the masses of the population to the level necessary for the effective exercise of those political privileges which have been conferred upon them, or which may be conferred upon them hereafter. (Hear, hear.) If I do not now further dwell upon the subject of education it is because I feel a great confidence that we have not before us, in relation to that subject, any problem of difficult solution, or any obstacle

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Now, gentlemen, I pass on from the subject of our representative system. I have now got beyond the motto of 1830, and I proceed to mention very briefly, in hardly more than a word, another matter, the matter of education, upon which there has been during the last 35 years—and I must say in the main as the product of the great Reform Act, to which it can be traced—there has been a great anxiety, a great activity, and a great progress. But still much, very much remains to be done, and the urgency of the necessity for doing it has been greatly increased. We must endeavour to put out of our way those religious difficulties which have hitherto been found to impede the effectual extension of the plans of education, and at the same time we must endeavour to do that without disrespect or disparagement to religion itself, or to religious convictions—an object which I for one believe to be perfectly attainable. (Hear, hear, and cheers.) I have stated that the original movement on behalf of education is traceable to that lively state of the public mind which accompanied and followed the first Reform Act. The second Reform Act, we must all feel, has brought upon us a new necessity, and I trust that new necessity will be met by new and greater exertions. (Hear, hear.) Measures have been introduced into Parliament, plans have been proposed under the sanction of great and respected names, the materials, in fact, of progress are all ready to our hands. I will not trouble you at this moment with the details, but I feel justified in expressing to you the sanguine hope that no time will be lost by those who have the honour to direct or share in the legislation of the country, in taking those measures which are undoubtedly necessary in order to raise the masses of the population to the level necessary for the effective exercise of those political privileges which have been conferred upon them, or which may be conferred upon them hereafter. (Hear, hear.) If I do not now further dwell upon the subject of education it is because I feel a great confidence that we have not before us, in relation to that subject, any problem of difficult solution, or any obstacle

except such as reasonable care and average courage may surmount. (Hear, hear.)

But I come now to name to you, not without a deep and serious emotion, another name that has always been associated in the history of this country with painful remembrances, and more or less with painful anticipations; and that perhaps has never been surrounded with associations more grave than at the present moment—I mean the name of Ireland. (Hear, hear.) Do not think, gentlemen, that it is from any wanton or gratuitous desire to intrude upon you a melancholy theme, or to force upon myself the discussion of difficult questions, if on this opportunity I state to you in terms of deep and serious anxiety the nature of the general question connected with the name of Ireland. The truth is that we have lately had too many grievous manifestations, more or less remotely traceable to matters that belong to that name, and that belong to the painful history of the relations between Ireland and England. My duty, so far as is in my power, is not only to render an account of the past, but likewise and *more especially endeavour to make preparations* for the future. (Hear, hear.) I may be mistaken, my views may be wholly visionary and wrong; but I have a deep conviction that for years to come the name of Ireland, and all that belongs to that name, will probably find for the Governments, for the Parliaments, and for the people of England the most difficult and the most anxious portion of their political employment. Now, gentlemen, consider what we have seen within the last few weeks. I mean to speak plainly to you—(hear, hear)—as plainly as I can—(hear, hear, and applause)—upon the subject of what is known by the designation of Fenianism. And I wish, in the present state of the public mind, and after occurrences so dreadful—I will not be content even with such a word as this, but I will add, outrages so wicked and detestable—(cheers)—I wish to urge upon you, as I wish to urge upon myself, these two fundamental cautions. The first is, that in considering these outrages we should endeavour to preserve an equal temper and a perfect self-command. (Hear, hear.) The second is, that we should not confound the cause of Fenianism with the cause of Ireland. (Hear, hear.) Now, gentlemen, recent proceedings have sent a thrill of horror through the country. And when such occurrences arise, it is very difficult for the public to preserve a perfect balance of their minds—(hear, hear)—especially at a time when every man among us must feel that there is no absolute security or guarantee that any one man will not become the victim of crimes of which he has hitherto been only the spectator. (Hear, hear.) Now, it is a difficult, but a most solemn duty for us all to keep that balance of mind. If the public are excited, that excitement will find its way to the jury box; ay, it will affect truly, if imperceptibly, even the bench of justice. (Hear, hear.) But there is no calamity that can happen to us one half so great as that the purity of justice should be sullied by one single darkening shade, or the straightness of its aim diverted by one single hair's breadth from the mark. (Cheers.) It often happens that when crimes are horrible, by a false logic, dictated by false and spurious feeling, we begin to suppose, or to act as if we supposed, that because the charge was dreadful, therefore we might be less particular about the proof. Depend upon it, there cannot be a more fatal error. (Hear, hear.) It is absolutely necessary that in every case brought or to be brought against

men who have been tried, or against men who are to be tried, for outrages that make our blood run cold, they should have precisely the same advantages, precisely the same favour and indulgence granted to them as in ordinary times—(hear, hear)—in respect to the most ordinary and the slightest charges, and that all should remember that in the eye of English law every man is innocent until his guilt shall have been legally established. (Loud Applause.) The august figure of justice has eyes and ears—nay, it should be all eyes and all ears for every description of testimony and information that bears upon the proof of charges; but for all matter that is not directly connected with the proof of charges—with whatever tends to prejudice the case, to inflame the mind, to carry the heat and temper of passion into the verdict that may be delivered—for all matters such as these, the old proverb is good, sound, and healthful. Justice should be absolutely deaf and absolutely blind. If the very throne were at stake—that ancient throne on which sits the beloved and venerated figure of our Sovereign; if the old and time-honoured laws of this kingdom were at stake; if every institution that we value and hold dear, if every institution that we have received from our fathers, and that we hope to hand down to our children, were at stake in the issue of a criminal charge, still we must look to nothing but the sufficiency of the proof alone. We must put all consequences out of mind; we must let all dangers be incurred; we must suffer the world to take its course, even though it were cracking in our ears, rather than allow the honour and the sanctity of justice to be tainted for a moment by the intrusion of thoughts, the bent of which, however natural, is destructive of its character and essence. (Cheers.) Having spoken thus, I shall be less likely to be misunderstood when, after invoking every just

degradation in this thing we call Fenianism. (Cheers.) That opinion, gentlemen, does not arise in my mind now for the first time, nor does it spring from any disposition to judge harshly of those who may perhaps feel too particularly the ancient wrongs of Ireland. It arises in a very different way. The time when I arrived at that conclusion was the time of the Fenian invasion of Canada; and certainly it did appear to me, so far as I am capable of forming a judgment on affairs—and I remember taking the opportunity of expressing the opinion nearly two years ago before an audience in Liverpool—that it is difficult to find upon record any action or proceeding of a large body of men more inexcusably and abominably wicked than the Fenian invasion of Canada. (Loud applause.) Canada had inflicted no wrongs upon Ireland. (Hear, hear.) If Ireland has wrongs, Canada has no power to redress them. Whatever we may have done, Canada with respect to Ireland is innocent as the child unborn; and I deliberately say that to carry fire and sword within the borders of Canada, thus unequivocally and thus notoriously guiltless, merely because it is dreamed or supposed that through Canada some stain or even some wound may be inflicted upon England, is the very height and the very depth of human wickedness and baseness. (Cheers.) I hope you will not think that because I have stated that opinion in very strong language, I own, in the strongest language, which offered itself to me for the purpose—I hope you will not think on that account that I have stated it in heat or in haste. (Hear, hear.) It is my firm and deliberate conviction, which at no time have I ceased to entertain or been inclined to modify. Having had that opinion of the Fenian invasion of Canada, I, at least, have not been surprised at what has taken place in England. I was not surprised at what took place in Manchester; and I cannot for one moment admit the arguments that are made to show that an offence of that kind ought to have been treated with great leniency and tenderness. We are told that the men who went to stop the police van with revolvers did not mean any bodily harm to any one—(laughter)—that it was an accident that led to bloodshed. (A voice: "Bosh.") Oh, no, it is not simply a vague allegation; it is not made so frequently or so boldly in this country, but it is made in Ireland, and made there with no small effect. The allegation made there is that the attempt and the intention was not to shoot Brett, the policeman, but to blow open the door. (Hear, hear.) Now, gentlemen, the answer to that is, so far as I am able to ascertain, not having been present at the trial, that the pistol was fired through the ventilator; and undoubtedly, he who wishes to blow open a door, does not fire his pistol through that portion of the door which is open already. But further, it is treated as a sort of accident, forsooth, that the police, instead of calmly submitting to the demands of the criminals who intercepted them, should have offered such resistance as they were able, and that Brett, with the spirit of a man and an English man, should have refused to do anything in furtherance, great or small, of the purposes of the breakers of the law. (Cheers.) The assumption on which the plea or excuse is founded is this, that the policeman has no sense of duty, that the policeman has no spirit or courage, and that therefore, being an animal without either honour or conscience, his business, the moment danger appears, is to run away that a confident reckoning may be made of his running away accordingly: and that if he

does not run away, if he happens to have some idea that he is under a solemn obligation to execute the law, and thus to protect the person of the people, and if he dies in pursuance of that idea, his death is to be regarded as an accident. Gentlemen, I demur to that conclusion. The death of Brett as regarded himself might have been a martyrdom: as regarded the perpetrators, it was a murder. (Cheers.)

I assume now that the men who were convicted at Manchester were justly convicted. (Hear, and cheers.) That is my assumption; I do not pretend to be a judge. If they had, as I believe they had, every advantage that English law could give them, if they were justly convicted, I am then asked to censure the Government for having refused to interpose the Sovereign's prerogative of mercy between these persons who were armed with revolvers on that perilous enterprise and the extreme sentence of the law. On an occasion of this kind, you will agree with me that we must put aside all question as to the abstract merits of capital punishment; with that important subject we have nothing to do. If capital punishment is bad, abolish it. If capital punishment is imposed by law, do not require of the Home Secretary and the Government that they shall be governed in the administration of the law by opinions or by scruples adverse to capital punishment in general. I know not what case was submitted to the Government, and what information they had before them, and I cannot take upon myself their peculiar responsibility; but, looking broadly at the facts so far as they are known to me, I decline to bestow any censure, small or great, upon the Ministry for having refused to advise the exercise of the prerogative of the Crown in a case such as the case in Manchester. (Cheers.) Well, gentlemen, from Canada we pass to Manchester, and from Manchester we pass to Clerkenwell. I am not about to contradict in practice that precept which I have endeavoured to give, by seeking to excite your feelings with respect to the character of the crime that was there committed. I will only say that, in my opinion, there is a painful family likeness in all this series of outrages, beginning with the invasion of Canada, continued at Manchester, again repeated at Clerkenwell, and God knows whether as yet brought or not brought to a conclusion. On this question I will only say, as it has not yet been made the subject of judicial investigation, that while I hope we shall never in this country think of anything like rigour or severity in the administration of the law, yet that we shall resolutely, as one man, support the Crown and its responsible advisers in a firm and just administration of the law, well knowing that we are thereby serving the interests of every member of society, including even the handful of misguided people who might be tempted to sympathise with the perpetrators of these crimes. (Loud cheers.) For, depend upon it, that those who approve of these outrages are the merest handful. Individually the people for whom we could find most excuse or palliation would certainly be the Irish; but I learn from the most undoubted authority on every side that the Irish in Lancashire (and, I doubt not, the Irish generally) are wholly free from the taint of this sympathy. (Cheers.) A few heated and erratic minds are to be found in every class of the community; upon the actions and judgment of such persons no man can count; but, with these exceptions, I am persuaded that not only the error, but the deep guilt of an approval of such acts, does not attach itself to any portion of the Irish community. (Cheers.)

Fenianism is a fell disease infecting our society. No doubt its development has been assisted by the importation of reckless spirits who have naturally enough come up to the surface on the other side of the Atlantic amidst the exigencies of a great and exasperating war. (Cheers.) Do not let us make this a reproach to our Transatlantic brethren. Do not for a moment suppose that I intend to insinuate any idea of the kind, which I should be the first to condemn; for the exigencies of such a war tend naturally and almost necessarily to develope in some congenial minds even such a depraved and portentous growth of human wickedness as this. It is no wonder if these persons have looked round them for a field, predisposed in some degree by circumstances, for their mischievous activity. But we have much more than this to consider. We must distinguish, as I have ventured to say, between the case of Ireland and the case of Fenians,—and I hope you will not suspect me after what I have said of wishing to tamper with the principles of public order when I avow to you my conviction that these painful and horrible manifestations may, perhaps, in the merciful designs of Providence, without in the slightest degree acquitting their authors of responsibility, may, perhaps, have been intended to incite this nation to a greater searching of its own heart, and spirit, and conscience with reference to the condition of Ireland, and the state of our legislation which affects that country. (Loud applause.) Gentlemen, it is, to say the very least, a matter of the utmost sadness to consider that, after seven hundred years of political connection between England and Ireland, that union of heart and spirit, which is absolutely necessary for the welfare of the country, has not yet been brought about. (Hear, hear.) It is impossible to exaggerate the gravity of such a fact, or, I may add, the gravity of the responsibilities which such a fact must bring upon the Government of this country; and, gentlemen, when I say upon the Government of this country, I use that expression because in former times the influence of the people in the direction of public policy, although for many purposes it has always had great weight, was far from being commanding and complete. But of late the development which has been given to our popular and representative institutions, and which has invested most, if not all of you, and not only of you, but so many of your fellow-citizens all over the country with the power of the Parliamentary suffrage, fixes upon you in the last resort the chief and main burden of responsibility for the character and colour of the policy that may attach to the conduct of the imperial concerns of Great Britain in all their branches and departments. (Hear, hear.) And, therefore, whether or not you are plenarily responsible for the past policy of this country towards Ireland in times now distant, you have become increasingly responsible for it of late; and you, the people of this country, will be in the fullest manner responsible for it in future. (Hear, hear.) And I think I am not performing the part of an officious or wanton censor if I venture to impress upon you those feelings, those convictions which I cannot discharge from my own mind. Now it would be unworthy of the character of this country if on account of the occurrence of those horrible outrages we were to consider ourselves as in any degree released from the duty of asking ourselves fairly what has been and what is the nature of our policy towards Ireland. There is not the smallest doubt that that policy has undergone of late years great improvement; that civil rights have been extended, that

odious penalties have been removed, that religious distinctions that formerly existed have been effaced, that a better and milder spirit has taken possession of the whole field of British legislation with respect to Ireland. But, at the same time, if we wish to place ourselves in the condition at least to grapple with the Irish problem as it ought to be grappled with, there is only one way to do it, and that is for each of us individually to make a mental effort to place himself in the position of an Irishman, imbued with all the national feelings of Irishmen, and under the influence of their traditions, and then to say honestly to himself as in the sight of God whether if he were such an Irishman with such convictions he would himself be satisfied with the state of things that now exists. (Hear, hear.) Now, gentlemen, if you ask me what contribution I have to offer towards the solution of this great and most pressing problem, I have only to say that past history teaches us that there is a marvellous power of enchantment in the principle of just and fair dealing. (Cheers.) There exists in our law what purports to be an union of three kingdoms. Now, the question arises, if the three kingdoms are to be united, how, or on what principle, are they respectively to be governed? My answer to this—there are certain matters in which the very existence of an union requires that the three should have a common opinion and a common policy. So far as that principle will fairly carry us, I would not for a moment listen to any plea whatever for separate institutions, and a separate policy for England, or for Scotland, or for Ireland. But then, I venture to contend that, in all matters except these, every one of these three countries ought to be governed according to its own traditions, views, and ideas, and not according to the traditions, views, and ideas of the others. And if I am asked what is meant by this general proposition, I reply by an illustration which, though it cannot be exact, will probably be found much clearer than argument—I reply by pointing to the policy that the Parliament of Great Britain and of the United Kingdom has never failed to pursue in respect of Scotland. There must be many Scotchmen here present. They abound, and I am thankful they abound, in this community. (Laughter.) If there had not been a facility for the importation of Scotchmen, it is highly probable that I should not have been here. (Laughter.) But I appeal to them, and I appeal to you, who, as Englishmen, pride yourselves as being the first among the nations of the world, in the sense of public justice, have we in point of fact, or have we not, treated Ireland as we have treated Scotland? If we had endeavoured to govern Scotland according to English notions and ideas, I ask whether the Scotch would have been the contented community which they now are? (Cheers.) Now, gentlemen, in speaking of that unsatisfactory condition of relations between Ireland and Great Britain, which I admit connects itself in a considerable degree, though in an indirect method, with the recent horrible manifestations, I am far from meaning to suggest that these dreadful crimes can be the object of sympathy in Ireland. My belief is that even the sympathy which has been shown with the three men executed at Manchester was procured by erroneous statements of the case and groundless imputations on the administration of justice. With regard to the more recent outrage in Clerkenwell, its character is so clear that I feel no man will be able to affix upon any portion of the Irish population the charge of sy[illegible] with such enormity. (Hear, hear.) But this is, as I ap[illegible]

state of the case: we have not in Ireland that degree and amount of active loyalty and attachment and respect to the law which is necessary in order to constitute us into a thoroughly well-ordered and united community. (Hear, hear.) And we have this painful circumstance to confront—that, whilst large portions of the Irish population from year to year have left the shores of their country to pursue their fortunes in a foreign land, they have carried with them, along with a patriotic, and I might almost say, a tender attachment to the soil, something that might be described as too often a fierce resentment, an inextinguishable aversion to the authority, the government, and the institutions of the United Kingdom. And for my part, gentlemen, I own I am not satisfied when I hear people say—"Yes, that is so; but it is because the Irish people are so unreasonable." Well, they may be unreasonable. We are all unreasonable more or less. We are all unreasonable, especially when we have suffered wrong. (Hear, hear.) Depend upon it, we are now going to enter into a controversy with a lawless power that aims its blows not at *wealth, not at property, not at Government,* not at aristocracy, not at any one class or portion of the community, but at public order, and at the peace of society; and if we are to enter with a clear conscience into that contest, if we are to be able to persevere in that fearless and firm administration of the law which I, for one, earnestly desire and will heartily support—(hear, hear, and prolonged cheering)—we must satisfy ourselves that as regards those causes of legislation which bear upon the permanent condition of a people we have set ourselves thoroughly in the right. (Hear, hear.) What we want is that those sympathies in Ireland, which now hang uncertainly and float bewildered between law and lawlessness, shall be brought into active alliance with law and with authority. (Hear, hear.) What we want is to have Ireland like Scotland, so that at last, and after all these generations, we may be enabled, instead of hearing from every corner of Europe echoes of the most painful commentaries upon the policy of Great Britain towards Ireland, we may be able to look our fellow Europeans of every nation in the face and challenge any of them to deny that we have administered to the sister island the full benefit of the principles of equal justice. (Loud cheers.)

Gentlemen, old and inveterate diseases are not to be cured in a day. I have rarely read a more striking sentiment in any newspaper—though I rejoice to say that we now not unfrequently have the advantage and happiness of reading the enunciation of the most matured and solid wisdom, expressed in the clearest and most eloquent language, not in one only, but in many of those journals which are produced from hour to hour, and almost from moment to moment—I have rarely read a more striking sentiment than one conveyed in an article of the *Times* upon the Irish question some six or seven months since. The writer was dealing with the statements of those who among us, unfortunately too many, who argue that it is vain to expect that because you do this or that you will convert the population of Ireland into a happy and contented people, and who therefore draw the conclusion that it is better to do nothing at all. Old and inveterate diseases, I repeat, are not to be removed in a moment. It is the law of nature—it is the dispensation of Providence—it is a great check upon human folly that, when we have long persevered in mischief, we should be made to feel the bitterness of the results. It is not in our power at a moment's notice to undo them.

You must be prepared for a course of long and patient well-doing towards Ireland up to the full demands of reason and justice, though not one jot beyond them, if you wish to obtain ultimately for yourselves or for your children that end of which I never despair—namely, that we should now at length redeem the approach of total political incapacity to assimilate to ourselves an island within three hours of our shores, and which has been under our dominating influence now for seven hundred years. But I believe for my own part that, in the case of Ireland, there is much even in the method of treatment as distinguished from the substance of measures. I believe that kindness, that sympathy, that recognition of equality, that frank union in all where we can unite, will of themselves have a great effect in Ireland. And one thing I will say I for one will not do: I will not be a party to endeavour to bribe Ireland into union with this country by the mere vulgar expedient of doses of public money. (Hear, hear.) I say this, not for the pecuniary interest of the people of England. If it were a question of thousands or millions, and you could show me that thousands or millions would attain the end, there is none of us who would hesitate for a moment. But they will not attain the end. One of the great objects, one of the greatest of all, we have in view is this—we wish to raise Ireland to the dignity of perfect political freedom, and to that sense of responsibility which attends it. (Hear, hear.) But you cannot raise Ireland to the dignity of political freedom if you act so as to depress her spirit, and to fix for her a servile position by doing for her in matters of public charge that which you would refuse to the citizens of countries of whose public spirit and self-respect you have formed a high estimate. (Hear, hear.) Exceptional circumstances may, when the occasion arises, call for exceptional treatment; but the same principles ought, as a rule, to regulate the public expenditure throughout the three kingdoms.

One word, and one word only, on the subject of an immediate Parliamentary reform in the representation of Ireland. Such a reform, I am bound to say, I take for granted. I make no doubt, looking at the declarations of the Government, and at the propriety of the case, that we shall forthwith have for Ireland a measure of reform not less equitable and liberal in its spirit than that which has been passed for England—(hear, hear)—and I hope it may be more free than ours from particular provisions open to reasonable exception. (Hear, hear.) I can only say for one that if any attempt were made to found upon recent occurrences, or upon a supposed political insecurity in Ireland—if any plea were made upon such a ground for deferring the settlement of the questions connected with the representation of the people in that country, I, at least, should be found to lift up my voice and to contend that it was a false and a fatal policy—(applause)—that we must throw ourselves frankly upon public sentiment in Ireland; and that if it be true that the circumstances are critical, up to the point at which they are now critical, and which I do not seek either to exaggerate or to deny, that very fact would be a reason for our giving fuller means of giving expression to the genuine public sentiment of Ireland through the authorised and legal medium of its representative institutions. (Applause.)

As regards education, gentlemen, Ireland has not received up to this hour equal treatment in the matter of education; and I will tell you why it has, in my opinion, reason to complain. In this counti

are aware, the great bulk of parents are in the habit of sending their children to be trained in schools and colleges where the inculcation of the religion to which they belong forms an essential and fundamental part of the instruction that is given. Well, that is the opinion that most of us entertain in England, that most of us act upon, and that has the full countenance, I might even say that it has the actual encouragement of our laws and institutions. But what do we do in Ireland? Well, in Ireland we have got in the first place a university connected with the Established Church. The members of the Established Church in Ireland have—and I for one have not the slightest objection to their having, on the contrary, I rejoice in their having—the means of having their children trained in every branch of useful secular knowledge in an institution where their religion is taught. But the same advantage is not given to the Roman Catholic population of Ireland. (Hear, hear.) Neither is it fully given to the Presbyterian population of Ireland. But, gentlemen, if in what I have to say, I speak little of the Presbyterian population, it is really only because, in the first place, their case is mitigated by a number of circumstances that it is not necessary now to detail; and, in the second place, because I think it is our duty to look at those who, from their enormous numbers, constitute the bulk and mass of the Irish nation; I may add, because every relief that is given to the Roman Catholic must of course be extended, on equal principles of justice, to the Presbyterians and Dissenters. Now, we have founded in Ireland what I believe conscientiously to be excellent establishments, in which persons of all religious creeds and persuasions are intended to receive a good and sound secular education, while it is left perfectly open to them to obtain religious education by arrangements of their own. That was the plan of Sir Robert Peel; and, even if it were on that account alone, I should be very slow indeed and very loath to speak disparagingly of it. But I have not a word to urge against it. All that I have to say is that I am not prepared to punish those who do not agree with me about it. But what are the facts? At the present moment no university degree can be granted in Ireland, except either at Trinity College, Dublin, where the system of the Established Church is taught, or in the Queen's Colleges in various places, where no system of religion is taught at all as a part of the system of education. So that if there be a Roman Catholic—and there are numbers of them who hold in Ireland the very same opinion that the great bulk of us hold in England—namely, that we ought to prefer having our children trained in Establishments where their own religion is taught—those children are debarred from the privilege of an university degree in Ireland; and that degree being a civil privilege, it comes to this, that there are still in Ireland civil disabilities on account of religious opinions. Now, we would not bear that for ourselves. I own that if I were prohibited from sending my son to be trained in a school where his religion was taught as part of the system of the school, I should think it a great grievance. I ask you then, as good citizens, and as just men, to place yourselves in the position of the Roman Catholics or of those among those Presbyterians who hold the opinion I have described, and I ask whether it can be said that we have yet in the matter of education given full and perfect equality to Ireland? Do not think that this is a small subject: rely upon it that in these questions of quality and inequality,

it is not the absolute substance of the thing itself that you must alone regard, but it is also the temper that is shown and the stigma that is involved in the principle of inequality.

Another subject—with the details of which I will not trouble you—is of the utmost importance to Ireland—the subject of the tenure of land. We all know that although in the abstract the law of England and the law of Ireland may be pretty nearly the same—although the naked principle of the law runs so much in favour of the landlord that everything the tenant does in the way of improvement. and everything he puts on the soil becomes the property of the landlord when he quits it; yet the law of England is mitigated in different districts by a multitude of local customs greatly improving and securing the position of the tenant, especially in a country governed as this is in the main by just and moderate opinions. In Ireland, with the exception of certain parts almost entirely Protestant, this is not so. In the Protestant parts there is a custom called tenant-right, which, whether good or bad, seems to give to the tenant his due, and, perhaps, something more; but in the rest of the country there is no such custom, and there is no protection at all for the tenants' improvements unless they have been made under an express and formal contract. This is a question of vital importance to the Irish. So long ago as in the government of Sir Robert Peel it was endeavoured to apply a remedy, and to give to the agricultural population of Ireland a reasonable interest in the improvements they carried into effect. And yet that reform, which was regarded as so urgent by a minister speaking in the name of a Conservative government, to this hour has never been adopted. To this hour the Irish tenant remains without that reasonable security—in the vast majority of cases holding from year to year—and only in a very small minority of cases obtaining the assistance of the landlords' capital to improve the soil. Can you greatly wonder if a spirit of hopelessness has come over that people with respect to their present position, and if with that hopelessness, surrounded as it is with so many bitter and painful recollections of the past, there is some defect in the warm and active attachment which we should like to find prevailing between the two countries? Here, gentlemen, we have before us a subject which, depend upon it, is of such vital importance that, laying aside all idle prejudices, and being prepared to face all factitious obstacles, we should proceed to deal with it, and resolutely to lead it to a satisfactory conclusion. (Cheers.)

Gentlemen, there is still another matter that cannot be omitted; it is the state of the religious institutions of Ireland. I say in the face of my respected friend your chairman, and without the least fear of offending—we may all lament the fact in our several degree and manner—we may lament that Ireland is as she is, and that she and we are not more of one mind; that she does not more nearly conform to our pattern in respect to religious matters. But we must recognise the fact. In the case of Scotland, when a difference of that kind arose, we allowed the Scotch to have their own way; and I do not believe there is a man, whatever his persuasion may be, that would wish to undo that state of things. In Ireland we have adopted the opposite rule. We have a small portion of the people of Ireland holding that form of belief which is, I apprehend, the belief of the majority in England; and, therefore, the English ideas and opinions in favour of the English form of religious

establishment are carried into Ireland, and the national endowments of the country are given, and given exclusively to the religion of a small number of persons, comprising among themselves almost the whole of the wealthiest class of that country, meantime the multitude and the poor of that country are left to shift for themselves—(hear, hear)—that is to say, religious inequality exists in Ireland in its most glaring form. (Hear, hear.) Now, gentlemen, we would not endure that in our own country. If there were a Roman Catholic country, with a dominent Roman Catholic majority allied with us by a legislative union, and endeavouring to enforce upon us the simple converse of that which we enforce upon Ireland, to apply against us the principle we now apply against them, I ask you whether we should patiently bear it or not. No, gentlemen, we should not bear it. (Hear, hear.) We may, perhaps, by some practice in the methods and expedients of politics, show a greater aptitude than our Irish brethren in choosing out for ourselves effectual ways and means for applying a remedy to a political evil. But if that evil had been felt by us as it has been felt by them, a remedy in one shape or another we should and would have applied, and should have done it long ago. (Loud cheers.) Now, gentlemen, I must express to you my conviction that the principle of religious equality must be unequivocally established in Ireland—(cheers)—and that it is vain to look for a true union and harmony between that country and this until the legislature of this country shall have made up its mind to move and to attain that great consummation. It may involve a sacrifice of our pride; there may be difficulties to encounter upon the way; and there will even be those who will believe and will tell us that it is hostile to religion. I for my part believe that nothing ever was or ever will be hostile to religion which is agreeable to the clear and well ascertained dictates of justice. (Cheers.) But let me commend this subject to your deep and earnest and serious reflections, for, rely upon it, you have this problem standing before you—it faces you, it confronts you, it stops you in the way, it will pursue you wherever you go. Ireland is at your doors; Providence has placed her there; the law and the legislature have made a compact between you. You must face these obligations; you must deal with them, and manfully fulfil them. As to the modes of giving effect to this principle, I do not enter upon them. This is not the time or place for it. But thus much I may say, I am of opinion they should be governed, as a general rule, by that which may appear to be the mature, well-considered, and general sense of the Irish people. But as to the principle itself, I entertain such a depth of conviction in regard to it, and a strength of assurance that the question will come up and meet us at every step of our future progress until we have dealt with it effectually. That will not suffer me to be silent in your presence, but urges me again and again to beg you to lay to heart the considerations that are connected with the complete and effectual settlement of this great and pressing question. (Hear, hear, and applause.)

And now, gentlemen, I must say a word, before concluding, as to the position of the Executive Government and of political parties in Parliament. By the rule of the Constitution those ought to govern who have the confidence of the majority. Now, it is a fact that those who at present govern are in the minority. That state of things is exceptional, but it is not without its advantages. Experience teaches us that the epochs

of Conservative Governments are not uncommonly the epochs of the greatest and most necessary concessions to popular feeling. (Cheers.) There was the old bug-bear of protection. How did we get rid of it? By bringing the Protectionists into office. (Cheers.) From 1846 to 1852, when elections occurred in agricultural constituencies, there was always some gentleman ready to descant upon the wrongs of the British farmer; and I cannot wonder that the British farmer sometimes lent a ready ear to the assurances that were so freely given him of a remedy which was to be found for his wrongs. My belief is, that if the Protectionist party had not come into power to this day, you would have had to this day the county elections fought on the principles of protection—(laughter)—and a great body of men coming forward from time to time to assure the farmer that he is deeply and insufferably injured, that they were very sensible of his wrongs, and that nothing was necessary but a majority to put them into power in order to the effectual application of a remedy. Well, gentlemen, they came into power (so to speak) overnight, and next morning they found it was impossible protection could be restored. (Hear, hear.) That was the case in 1852. In 1858 there was another of these Governments by a minority; and, at the commencement of that Government, Lord Derby announced that his mission was to oppose the progress of democracy; but before that Government had been twelve months in office, the members of it were engaged in the production and the recommendation of a Reform Bill. They were put out of office. Their Reform Bill was not entertained, and that being so, the consequence was that they fell back into the old error, and from 1859 to 1867 their party, with an unbroken effort, opposed itself to all and every proposal of reform. (Hear, hear.) But in 1866, at the end of the session, they come in again, and precisely the same process takes place. Overnight they thought that reform was dangerous, that it was unnecessary, that it would destroy the Constitution, and I know not what. The sun rises the next morning. With the light of that new sun new ideas are conveyed—(laughter and cheers);—and the consequence is seen in the Reform Act of 1867. Well now, gentlemen, you, as a body of Liberal electors, may be inclined to desire that those who agree with you should be placed in possession of the great opportunities of usefulness that are connected with the possession of office. (Cheers.) But do not let us overlook these advantages on the other side, and let us well remember that in the great changes which this year has witnessed, it is highly probable that if it had not been for the change of Government in 1866 reform might still have been baulked by an obstinate and persevering hostility. (Hear, hear.) The same thing, gentlemen, has happened with regard to other subjects. You have heard of the conscience clause in education. A large number of the clergy—of whom, as a body, I speak with a profound and cordial respect—are themselves against that provision in trust deeds of schools called conscience clauses. They had great hopes until July, 1866, that when the party truly Conservative came into power, the question would be decided, and no more would be heard of it; but, instead of that being the case, no more is heard of the matter, because there is no longer any opposition to the clause. The Government have found that after all, they were rather near-sighted. They looked at the conscience clause from a distance—from across the other side of the House,—and that

being so, and from this quality of near-sightedness, they could not read its true character—(laughter);—but the moment that the organ of the eye is brought within the distance, which is adapted to the formation of the lens, the moment, that is to say, that it can be calmly read with every advantage of tranquillity as well as of those instruments which assist vision in political office, it is found that just as I might misread the letters of the placard on yonder wall from a distance, so have they been mistaken. It is not for us, who may have a natural prejudice in the case, to be too exacting in our mode of judging; let us have good measures of government; and, in my opinion, a Liberal party in the House of Commons will give fair play to all such good measures when they are submitted; but I should object to going so far as to say that we are to be reduced to the condition of accepting simply that which was offered to us without any opinion or conviction of our own. We are, after all, a majority in the House of Commons. As such we are responsible to you; and that responsibility we shall all discharge to the best of our ability.

Now, gentlemen, one word only upon your position as a party. There is a great disposition, it appears, among the adherents of the Government to celebrate their successes and their advance in popular estimation by a series of banquets. There has been a great banquet in Manchester, and a great banquet in Edinburgh. There has been a great banquet in the Crystal Palace in London, composed, as I understand, of working men, carefully selected. (Laughter.) There is, I am told, about to be a great banquet in the city of Bristol. These banquets echo one another like the roll of cannon in the mountains, first from one quarter and then from another. And, gentlemen, do you think on that account that the opinions of the country are changed, or that the principles of the constituency have ceased to be Liberal principles? I venture to place against the four banquets of this year four elections of this year. A banquet is a very good thing in its way; but, as one familiar with the condition of political parties, I must frankly admit that if you place banquets on one side, and the successful competition of an election on the other, I leave the banquet and prefer the successful election. We have had four elections. The first was the election for Coventry. The Conservatives went there when the Coventry weavers were supposed to be suffering from the effects of the French treaty, and persuaded them to return first one and then a second Conservative member. But when an election occurred this summer a Liberal member was returned. Then came the election for Birmingham, for which town a Liberal member was returned, under circumstances very adverse, yet by an immense majority. When the election came for the city of Manchester, the Liberal candidate was returned by a large majority. The death of an eminent Counsel created a vacancy in the representation of that town at a critical moment. It was immediately after the banquet in that city which I have referred to; the very dishes of the dinner had scarcely become cold; but, when it came to a question of polling, then the Liberal principles went ahead; and so determined was the Manchester constituency to mark its adherence to Liberal principles that they laid aside minor differences as between one portion of the Liberal party and another, which had formerly caused disaster, brought these differences summarily to an end, and gave a very great majority to the gentleman

who professed allegiance to the Liberal party. And now with regard to the fourth of these elections, namely, the election for South Leicestershire, I point to the successful candidate present in this room (Mr. Paget). For a long period the representation of that part of the country has been monopolised by the opposite party. We reach this year of great Conservative triumph, and a vacancy there occurs through the lamented death of an honourable and respected gentleman; and it is now that, for the first time in a quarter of a century, a gentleman professing Liberal politics is returned to Parliament for that division of the county. Gentlemen, as regards our own party interests, I think our auguries for the future are sufficiently good; but, passing from party interests to interests which are higher still, it has pleased Providence to bless the people of this country for a long series of generations with institutions greatly in advance of those of almost every other country, and with opportunities which require only to be used aright in order to secure national prosperity; and I fervently hope that this land of ours, the land we live in, and the land which with all our hearts we love, may retain its place, and even improve its place, among the civilised nations of the world. It is my humble but powerful conviction that these hopes and anticipations are destined to be realised; and that as "England expects every man to do his duty," so the day will never come when upon the whole it can be justly said that that duty has not been fulfilled.—(The right honourable gentleman resumed his seat amid tremendous applause, the whole company rising.)

Mr. Holbrook Gaskell proposed a vote of confidence in and thanks to Mr. Gladstone.

Mr. Graves rose to second the resolution, which he did most heartily, as he was sure it would receive their unanimous approval.

Mr. T. Paget, M.P. for South Leicestershire, who was loudly called for, supported the resolution. He said,—Mr. Weld-Blundell, ladies, and gentlemen—Being an entire stranger among you, nothing in the world could be in worse taste on my part than to make a long speech at this late hour of the evening, particularly when the fervent accents of the Right Hon. Mr. Gladstone are still ringing in our ears, and which, I am sure, have gone straight to the heart of every gentleman present. (Hear, hear.) The events of this day, I can assure you, will retain a place in my memory for ever. I do not know when I have enjoyed so great a treat as I have had in listening to the magnificent speech which we have just heard, not only from the representative of South Lancashire, but from the accomplished leader of the great Liberal party in the country. Nothing would have induced me to come before you but the circumstance of having recently contested and won South Leicester—in the green fields of Leicestershire I won my spurs;—applause)—and, being before you, I will just recur for one instant to a circumstance which, I believe, decided the contest. You must be aware that the southern division of that county was one of the strongholds of Toryism; therefore it was no small thing to storm that stronghold. At Bosworth, one of the most remote and most agricultural recesses of that stronghold, from the window of the inn, my noble friend and colleague, Lord Curzon, pronounced the

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words—"I, for one, prefer Mr. Disraeli with all his faults to Mr. Gladstone with all his virtues." I accepted the gage of battle, and on that issue we fought. (Hear and cheers.) I need not tell you, the constituents of the right hon. gentleman, what are his virtues: they are as patent to the world as the sun at noonday. (Applause.) His courage, sincerity, uprightness, and devotion to his country's cause will yet again lead him on to the highest place in the kingdom. (Cheers.) The battle on the green fields of Leicestershire was fought as between the policy of Mr. Disraeli, in endeavouring to retain place even had he to pass a mangled Reform Bill. (Hear, hear.) It was fought upon the contrast which his conduct offered to the conduct of that great representative who retired from office rather than desert the cause of the people. (Loud applause.) Upon that issue, and that issue alone, we took up the gage of battle. It was that issue alone that enabled the battle to be fought and won in the person of one so humble in position as myself. The name of Mr. Gladstone is a tower of strength. Such you have found it, and such you will find it again. (Hear, hear.) I think we should be cravens, and unworthy of our own self-respect, if we do not attempt to put our own friends into power, instead of leaving those in power in whom we can have no more confidence than that which our great leader has expressed. That was the object for which I left retirement, and have sought a place behind Mr. Gladstone in the House of Commons. That will be the object of my most serious attention there; and, I hope, before long, to see that great Liberal party, in which we all trust, restored to the helm of the government, and to the honour of the power and responsibility which they so well deserve. (Hear and applause.)

The resolution was passed with enthusiasm and duly acknowledged.

Mr. Alderman Boothroyd next moved a vote of thanks to the Chairman, Mr. Weld-Blundell, for his kindness in presiding.

Mr. Lawrence Heyworth seconded the resolution, which was carried with acclamation.

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TO

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EXTRACTED FROM

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MR. GLADSTONE'S

RECEPTION AT SCARISBRICK HALL.

After the close of the meeting at Southport, Mr. Gladstone, accompanied by Mr. Paget, M.P., Mr. W. H. Gladstone, M.P., the Hon. L. Stanley, Mr. George Melly, and Mr. A. Billson, drove to Scarisbrick Hall, by the courteous invitation of Lady Scarisbrick. From the entrance to the Scarisbrick estates, they found the whole road lighted up with red Bengal lights, which had a beautiful effect in the still darkness of a frosty night. The drive through the park and to the gates immediately in front of the hall was illuminated in the same brilliant manner. But the scene on arrival at the hall itself defies all description. Under the immediate superintendence of Mr. Welby Pugin, who, on the part of Lady Scarisbrick, gave a hearty welcome to Mr. Gladstone and his friends, the whole pile of the palatial mansion was illuminated with red, green, blue, and white fires. The effect was perfectly enchanting,—the splendid clock tower, with its elaborate tracery, gilded spire and ornaments, and quaint gargoyles, looming in the fog, was lit up with artificially coloured lights, moved to and fro by the employés, who seemed to swarm about the roof of the magnificent pile of building,—while the whole scene was reflected, as in a mirror, on the thin ice just forming on the lake. In the course of the evening and following morning, Mr. Pugin showed Mr. Gladstone over the house—one of the most complete and perfect specimens of that Gothic architecture in which the late Mr. Pugin held an unquestioned and unrivalled superiority.—Lady Scarisbrick, who had been indisposed for some months, was confined to her room; but her Ladyship was able to grant an interview to the distinguished guest whom she had so courteously invited to spend the night at Scarisbrick Hall.

P. DRAPER, PRINTER, BURSCOUGH-STREET, ORMSKIRK.

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HOUSE OF COMMONS,

Monday, February 13, 1871.

Mr. GLADSTONE: I rise, Sir, to make a proposal the same in terms and the same in substance which has been made on former similar occasions—namely, on the occasions offered by the marriages of the Princess Louis of Hesse and the Princess Christian. And I should have been very glad if it had been consistent with my duty to assume, without doubt, as the Government has been able to assume at the periods which I have named, that there would be an unanimous—either literally or substantially—acceptance of the proposal. I feel it to be a subject for regret that there should be any doubt—I do not say as to its acceptance by the House: of that I have no doubt, nor of its acceptance by a very decisive expression of opinion have I any doubt—but of the vote which any hon. Gentleman may feel disposed to give on such an occasion. Nor is it the House alone that would be disappointed, I think, if any real difficulty were to be interposed in the way of passing such a measure; for I am persuaded that the whole nation, with very rare exceptions, would regard with surprise and dissatisfaction the hesitation of Parliament to make the becoming and usual provision for a Princess of the Royal House of Her Majesty.

With respect, Sir, to the circumstances of the contemplated marriage between the Princess Louise and Lord Lorne, it is not necessary for me to dwell upon them at any length. The character of the Royal Bride is known to some of us by personal intercourse, to others by the voice which rumour carries forth; and I do not think that rumour has ever carried forth, in any case recorded in our modern history, impressions more satisfactory or more delightful than those which have been conveyed to the popular mind with respect to the Princess Louise. But happily, that is not a novelty in the records of our time, for the daughters of the Queen, for whom we have been formerly called to make a becoming provision, have had every claim upon our admiration and regard. But there is a novelty in the present instance, although I am persuaded that novelty can hardly be in the mind of any among us (or, if in any, it must be in the mind of a few only) a source of doubt or dissatisfaction —it is that the Princess Louise is about to bestow her hand upon a British subject. Now, Sir, in the resolution which the Queen has taken that the absence of Royal rank shall not of itself, and in every case, form an insuperable bar to a suit for the hand of one of her daughters, she is not acting without the advice of responsible Ministers. But she has shown, in coming to such a resolution, another manifestation of that principle which has governed her life—the principle which has taught her, amid the pomp and splendour, and amid the duties and cares of Royalty, never to forget the womanly and motherly character. She

has justly impressed on the mind of the country a belief that there is no member throughout the wide expanse of her dominions to whom the personal happiness of her children is more intensely dear. Her object has been ever to choose as husbands for her children, or to favour the choice of, persons upon all the points of whose character and, above all, upon whose governing principles she could entirely rely. Acting upon that rule, she has seen marriages of her daughters to foreign Princes, which have been to her a source of delight and satisfaction; and it is not from any disparagement of or disappointment in such marriages that in the present instance a different course is pursued. The real principle now is the same as it has been on each successive occasion—namely, the desire that the person who is honoured with the hand of the Princess Louise should be one in whose character her future destinies should, humanly speaking, be safe.

But anyone who doubts the prudence of the course now to be pursued may do well to reflect that if the Queen has been pleased, and if the Princess Louise has been pleased, to depart from the former practice, the practice so departed from can hardly be termed ancient. It was no unusual thing in the history of this country, but far otherwise, for persons of the Royal House to bestow their hands upon British subjects. And I must say that such a practice is agreeable to the usages and social system of the country. The feelings, habits, and convictions of the country are not altogether favourable to the formation of classes absolutely exclusive. We have a

of private incomes, nor an equal facility, therefore, for storing annual receipt with a view to family arrangements. Undoubtedly, the Sovereign of this kingdom has a large income; but, although it is a large income, it is an income which, far more than any other large income in the country, is predetermined to special purposes; an income of which only very limited portions are under the control and discretion of the Sovereign. The nominal amount of the Sovereign's income, if we add together the Civil List and the revenues of the Duchy of Lancaster, may be larger, possibly, than that of any subject, though there are a few among subjects who may come near it; but there are, undoubtedly, subjects in this country who have the real command over, and can expend at their free choice and pleasure, larger sums than are practically at the disposal of the Sovereign.

Gentlemen who study the structure of the Civil List Acts will perceive that Parliament studiously lays down the application of the monies granted to the Sovereign, and confines them to the special services for which they are destined. In truth, when an arrangement of this kind is made with a Sovereign, the most sanguine expectation commonly entertained by a rational Legislature is that the Sovereign shall, by good husbandry, remain in a position to keep strict faith with the people, and shall not come to Parliament from time to time making pleas on one ground or another to show the insufficiency of the provision, and to disturb the bargain made, by new demands for the same

purpose upon the public purse. I need hardly remind the House that we are now in the 34th year of a reign during which on no single occasion has any such demand been made. The management of the Royal household, and the management of the Royal income, have set an example of economy and good order to all the families of the country. But the present question is whether there is any, the slightest, foundation for the belief some may entertain that it is the duty of the Sovereign to effect such savings out of the income of the Crown as will be sufficient to meet these purposes. Now, Sir, I will say that I believe that this is not only not the duty, but even that it is out of the power of the Sovereign. This is a matter that is governed by practice—I do not mean by a written rule of practice, I do not mean by a literal covenant—I mean that practice of honour and good understanding and loyalty, which arises out of, and which is irrefragably confirmed by, a long and unmistakable course of precedent. The House knows very well that it is only within the present century that, after much labour directed to that end, it has been found practicable to come to a close, intelligible, and satisfactory arrangement with regard to the support of the Royal dignity and person. At the commencement of every reign a sum is allotted by an Act called the Civil List Act for that purpose. Does that Civil List Act contemplate a provision being made out of the funds it grants for the maintenance of the Royal children? I say it does not; and the proof that it does not is that, under all circumstances,

it has been the established and understood practice of every Government to come to Parliament from time to time, and to ask for some separate provision to be made on behalf of the Royal children. The expense of the Royal children in their youth—in their youth I include the period up to their marriage or their attaining full age—has been borne by the Sovereign without any appeal to Parliament; but the practice has uniformly been that when the Royal children pass into independent life, whether by marriage or by attaining full age, or at whatever precise date, to apply to Parliament to make a provision. I fully admit that I am not prepared to quote anything in the nature of a written agreement on the subject; but I am prepared to affirm that the argument of practice has in this case the force of a demonstration. Now, in 1830, the Civil List of William IV. was fixed at £435,000 a year, and no better period for an economical precedent could be taken. I doubt if even a period as good could be found. I do not say that the commencement of the present reign has not also been excellent in that respect; but certainly there never was a time when there was a greater desire evinced on both sides of the House to draw the reins tightly and to prevent anything like extravagance in public expenditure than there was at the commencement of the reign of William IV. The sum then assigned to the Civil List was £435,000. But the sum given on the accession of the Queen was reduced to £385,000. And why? I think it evident that the amount was reduced because, in the case of Wil-

liam IV. there had been a Queen Consort, whereas Queen Victoria was unmarried at the commencement of her reign, and the contemplation was that if Her Majesty were to marry, then the time would arrive for Parliament to consider what increase of expenditure would necessarily follow upon any change of establishment and life which would be produced. Shortly after, Her Majesty was happily married. And what then happened? A new proposal was made to Parliament, and a Vote was taken on behalf of the Prince Consort as the husband of the Queen, in addition to the Civil List. Therefore, from the Civil List, originally fixed in 1830, a reduction was made in 1837. It was made when the Queen was a maiden, it was altered when the Queen was married. It is impossible to have a stronger attestation of the principle upon which these matters have been uniformly regulated.

Now, the fact that there is a uniform practice of this kind — what I should call a loyal and honourable understanding and practice—is quite conclusive; but, at the same time, I would beg the House to consider that the contract or arrangement is no very unfavourable one to the public. When we granted the Civil List, at the commencement of the reign, we did not grant it without an equivalent. We received in return those lands which formed the endowment of the Crown. It would, at least, be not too much to say that in a country governed by a monarchy the Crown ought to have the largest of all personal endowments. Accordingly, the Crown of

the interest of the Crown for years, or rather for generations past, as it would have been used if it had belonged to private proprietors? I believe, though I have no right to give an estimate with authority, that in that case the annual independent income of the Crown would, perhaps, be not less at this moment than a million sterling.

But the truth is, Sir, that this is a very narrow view of the case to take. There is a much deeper and a much broader question involved. The competent support —not the lavish and extravagant, but the competent and becoming support—of the Crown and the Royal Family is an important and an indispensable part of our political system. It is not the money paid back from the Crown lands into the Exchequer that forms the real equivalent to the public. That equivalent is to be found in the additional security given for the political benefits and blessings that we enjoy. We have not far to look to learn how difficult it is on this side of the Atlantic to bestow upon democratic and popular forms of government on a large scale the conditions of stability, and how difficult also it is to root monarchical forms of government in the affections of a nation where unhappily the union of tradition may not have been altogether favourable to such an association. And we have seen, too, how instability of succession places dynasties in this position—that the interior policy of a country becomes subservient, almost of necessity, to the interests of family, and that questions of peace and w[illegible] if pursued to their first [illegible] po often referable to c[illegible]

but for any person endowed with a just sense of duty, and, therefore, with that self-respect which is a part of duty, to enter into angry controversy with Parliament, should Parliament be so disposed, on such questions. And what would be the consequence? We should have to change our system. At the commencement of a reign, besides giving to the Lord Steward what he requires, and giving to the Lord Chamberlain what he requires, and so forth under the various heads, we should have to do what is done in so many private families—we should have to provide for all these distant contingencies and secure beforehand a becoming income to the children of the Sovereign. The effect of that would be—first, a great diminution of the moral control of Parliament over the Royal Family; and, secondly, a great diminution of the moral control of Royal parents over their rising families of children. It is, to my mind, open to much doubt whether it can be in the interests of a State that such a change should be made. And, undoubtedly, it is not in the pecuniary interests of the Sovereign that the present system is pursued. It exposes the Sovereign—it exposes the younger members of her family, who have never known reproach in any form—to idle vituperation, or, if vituperation is too harsh a word, to idle objections and to cavil. No doubt for the Sovereign it would be convenient enough that all these provisions should be made beforehand. But the present system, whatever it may be in other respects, is a system national and popular in its spirit

—a system founded on those free relations of generous confidence which ought always to govern the conduct of the Sovereign of this country towards the Parliament. The Sovereign confides and trusts that when a reasonable and becoming demand is made, the occasion having arisen, Parliament will not hesitate for a moment to meet that demand; and Parliament has ever acted in such a manner as to justify this confidence by facts. I am sure that no one who considers the case will fail to see that this method under which from time to time, as mature age is attained by members of the Royal Family, or as marriage is about to be contracted, Parliament is asked to make proper provision, is a system conceived in the interest of the people, and likewise one which can only work as long as harmonious and cordial relations are maintained between the Sovereign and the Parliament. Sir, I think that if that be so, it is needless for me to go further in the discussion of this important matter. It may be that some Gentlemen have discovered elements in it which have not met our view; but, confident as I am that we are acting according to the principle of good faith, according to old and uniform precedent, and according to sound policy, I have not the least hesitation in putting, Sir, into your hands a Resolution which I am confident will command the assent of an overwhelming majority of the House, and which has for its object to make, in view of her approaching marriage, the usual provision for the daughter of the Queen.